

# EXHIBIT 8

## REMOTE DEPOSITION OF BOBBY BOOKER

MARCH 3, 2023

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REMOTE DEPOSITION OF BOBBY BOOKER taken via Zoom  
via-styled and numbered cause on March 3, 2023,  
at 10:37 a.m. Eastern Standard Time, before Gina  
Registered Professional Reporter, Certified  
Reporter, and Certified Realtime Captioner.

1 A P P E A R A N C E S  
2

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19  
20  
21  
22  
23 QUOTATION MARKS ARE USED FOR CLARITY AND DO NOT  
24 NECESSARILY REFLECT A DIRECT QUOTE  
25

1	I N D E X	
2	WITNESS	PAGE
3	BOBBY BOOKER	
4	Examination by Ms. Mendoza	4

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## 6 E X H I B I T S

## 7 Number

8	Exhibit 1	Photograph	31
9	Exhibit 2	Photograph	35
10	Exhibit 3	Employee Handbook, Bates BLM001021 through _1086	52
11	Exhibit 4	Amended Complaint	66
12	Exhibit 5	Video, Bates _2180	69
13	Exhibit 6	Video, Bates _2181	69

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<p>1 WHEREUPON,</p> <p>2 BOBBY BOOKER</p> <p>3 was called as a witness and, after having been first duly</p> <p>4 sworn, was deposed and testified as follows:</p> <p>5 EXAMINATION</p> <p>6 BY MS. MENDOZA:</p> <p>7 Q Good morning. Thank you, Mr. Booker. I</p> <p>8 apologize for the technical difficulties.</p> <p>9 I am Melissa Mendoza. I am the attorney for</p> <p>10 Kristina Mikhaylova. She is the plaintiff in this case</p> <p>11 against Bloomingdale's.</p> <p>12 A Do you know who Kristina Mikhaylova is?</p> <p>13 Q Okay. Did you work at Bloomingdale's?</p> <p>14 A I did.</p> <p>15 Q When did you work at Bloomingdale's?</p> <p>16 A I believe --</p> <p>17 I'm not sure of months, but I believe the 59th</p> <p>18 Street store, somewhere between 2016. I believe I left that</p> <p>19 store around 2017.</p> <p>20 Q Okay. And I'll get back to Kristina in a moment.</p> <p>21 But before I go there, I just want to ask you -- go over a</p> <p>22 few ground rules.</p> <p>23 A Have you ever had your deposition taken before?</p> <p>24 Q No.</p>	<p>Page 4</p> <p>1 answering my questions today?</p> <p>2 A No.</p> <p>3 Q Have you taken any prescription medication</p> <p>4 otherwise in the past 24 hours?</p> <p>5 A No.</p> <p>6 Q Were you supposed to take any prescription</p> <p>7 medication in the past 24 hours, but did not?</p> <p>8 A No.</p> <p>9 Q If you need to take a break, just let me know.</p> <p>10 I'm more than happy to. I'd just ask that you answer the</p> <p>11 last question that was asked, okay?</p> <p>12 A Got it.</p> <p>13 Q Okay. Are you represented by counsel today?</p> <p>14 A I am.</p> <p>15 Q And how did you locate your present attorney?</p> <p>16 A Macy's provided.</p> <p>17 Q Okay. Is Macy's paying your legal expenses?</p> <p>18 A I'm not paying anything.</p> <p>19 Q Okay. Tell me how you prepared for today's</p> <p>20 deposition.</p> <p>21 Did not disclose any confidential information</p> <p>22 discussed between you and your attorney.</p> <p>23 A I discussed with my attorney that there was a</p> <p>24 deposition, and he gave me whatever information he had, and</p> <p>25 we talked about what time I need to show up.</p>
<p>1 Q No, okay.</p> <p>2 So I will be asking you questions, and you must</p> <p>3 answer them truthfully. As you know, you are under oath;</p> <p>4 correct?</p> <p>5 A Yes.</p> <p>6 Q You understand, okay.</p> <p>7 And although a judge is not present, this is as</p> <p>8 formal as if we were in front of a judge in a courtroom or</p> <p>9 in front of a jury.</p> <p>10 Do you understand that?</p> <p>11 A Yeah.</p> <p>12 Q And because the court reporter is taking down</p> <p>13 everything that we say, it's very important that you respond</p> <p>14 with verbal responses, okay?</p> <p>15 A Okay.</p> <p>16 Q And if you do not understand any of my questions,</p> <p>17 I just ask that you please let me know, and I'm more than</p> <p>18 happy to rephrase the question, okay?</p> <p>19 A Okay.</p> <p>20 Q And are you aware of any reason that might impair</p> <p>21 or prevent you from fully or truthfully answering my</p> <p>22 questions today?</p> <p>23 A No.</p> <p>24 Q Do you suffer from any condition, either mental</p> <p>25 or physical, that may prevent you from fully and truthfully</p>	<p>Page 5</p> <p>1 Q Okay. And did you review any documents in this</p> <p>2 case?</p> <p>3 A I did not.</p> <p>4 Q Okay. Did you discuss this --</p> <p>5 Withdrawn.</p> <p>6 Did you prepare for today's deposition with</p> <p>7 anyone else besides your attorney?</p> <p>8 A No.</p> <p>9 Q Did you speak with anyone else regarding today's</p> <p>10 deposition besides your attorney?</p> <p>11 A No.</p> <p>12 Q And have you spoken to any of your former</p> <p>13 co-workers from Bloomingdale's in regards to this case?</p> <p>14 A Yes.</p> <p>15 Q Who did you speak with?</p> <p>16 A I spoke with Fred Becker, who put me in contact</p> <p>17 with Macy's legal team.</p> <p>18 Q Okay. And when was that?</p> <p>19 A Maybe two weeks ago -- two or three weeks ago.</p> <p>20 Q And did you discuss any details about the case?</p> <p>21 A No.</p> <p>22 Q Okay. All right. Have you ever testified in a</p> <p>23 case before?</p> <p>24 A No.</p> <p>25 Q Have you ever been a plaintiff in a lawsuit?</p>

	Page 8		Page 10
1	A No.	1	A When I left New Jersey, I moved to Texas.
2	Q Have you ever been a defendant?	2	Q That 9631 address?
3	A No.	3	A Correct.
4	Q Have you ever been arrested?	4	Q Okay. So during your employment with
5	A No.	5	Bloomingdale's, you were living at the New Jersey address;
6	Q Okay. Now just some background questions about	6	is that correct?
7	you.	7	A Yes.
8	Have you ever gone by any other names?	8	Q Okay. Were you living at any other address?
9	A No.	9	A When I initially --
10	Q Okay. So your full name is Bobby Booker; is that	10	So their service stores that I worked for with
11	correct?	11	Bloomingdale's, when I worked at the 59th Street store, I
12	A Full name is Bobby Roy Booker, III.	12	believe I initially lived in maybe Manhattan, and then I
13	Q Okay. And then you've gone by the name Bobby;	13	moved to New Jersey somewhere in that tenure before I left
14	correct?	14	Manhattan -- or before I left the 59th Street store.
15	A That's correct.	15	Q Okay. All right. So we'll backtrack a little
16	Q And what is your date of birth?	16	bit.
17	A January 3, '84.	17	So when did you --
18	Q And your place of birth?	18	What other store did you work at for
19	A Dallas, Texas.	19	Bloomingdale's?
20	Q And where is your current home address?	20	A I worked at the 59th Street store initially in
21	What is your current home address?	21	Manhattan, and maybe for a year, if that long. And I left
22	A 9631 Kerrville Street, Dallas, Texas.	22	that store, I want to say I believe 2017 and worked in -- or
23	Q Do you own or rent?	23	maybe it was 2016, I'm not sure -- and worked in New Jersey,
24	A Own.	24	the New Jersey store. I believe it's called Short Hills, if
25	Q How long have you lived there?	25	I'm not mistaken.
	Page 9		Page 11
1	A You cut out.	1	Q Okay. Are you married?
2	Q How long have you lived there?	2	A I am.
3	A I've had the address for maybe 20-something	3	Q And have you been married before?
4	years.	4	A I have, yes.
5	Q Okay. When you say you've had the address, what	5	Q Okay. And so what is the name of your current
6	do you mean by that?	6	spouse?
7	A I mean that at one point I didn't live in Texas,	7	A Victoria.
8	but I still had that -- that's always been my home address.	8	Q Okay. And when did you and Victoria get married?
9	Q So do your parents live there?	9	A Maybe 2021.
10	Did your parents live --	10	Q Okay. And where did you get married?
11	A I had the home, and I went into the military, and	11	A Dallas.
12	I wasn't stationed in Texas, and I'm back home in Dallas,	12	Q And are you currently living together?
13	and that is my house. I live there.	13	A We are.
14	Q Okay. Where did you live before --	14	Q And before that when were you married --
15	Yeah.	15	Withdrawn.
16	Do you have any other residences?	16	Before that, when did you get a divorce?
17	A No.	17	A I believe 2019.
18	Q At one point were you living in New Jersey?	18	Q Okay. And who were you married to?
19	A Yes.	19	A A woman named Gillian.
20	Q When was that?	20	Q And when did you get married to Gillian?
21	A When I left the Bloomingdale's store, 59th	21	A Maybe 2014.
22	Street, so sometime in 2017, 2018.	22	I don't recall.
23	Q Okay. Where did you move to?	23	Q Okay. And where did you live with Gillian?
24	A You mean when I left New Jersey?	24	A We lived in North Carolina, Virginia, and then
25	Q Yes?	25	New York and New Jersey.

	Page 12		Page 14
1	Q Okay. And did you --	1	A No.
2	So in 2019 when you --	2	Q Okay. And do you have any children with any of
3	Withdrawn.	3	these women?
4	Did you stop living together at a certain point?	4	A My first wife, yes.
5	A No.	5	Q Okay. And what was the reason for your divorce
6	Q Okay. So in 2019 were you living with Gillian?	6	with Gillian?
7	A Yes.	7	A Irreconcilable differences.
8	Q Okay. And where were you living at that time?	8	Q Okay. I'm assuming that's filed in court;
9	A We were in Texas.	9	correct?
10	Q Okay. Was there any infidelity?	10	A That's correct.
11	A No.	11	Q And that would be in Texas?
12	Q Did you have an open marriage?	12	A Yes.
13	A No.	13	Q Okay. Have you ever had a marriage annulled?
14	Q And before your marriage to Gillian, were you	14	A No.
15	married before that?	15	Q All right. Now a few questions about your
16	A Yes.	16	educational background.
17	Q And who were you married to?	17	Did you graduate from high school?
18	A A lady named Kendra.	18	A Yes.
19	Q And when did you marry Kendra?	19	Q And when was that?
20	A That's maybe --	20	A 2002.
21	I'm not sure.	21	Q Did you attend college?
22	Early 2000s.	22	A I did.
23	Q Okay. And then when did you get a divorce?	23	Q Okay. And where did you attend college?
24	A Mid-2000s.	24	A Everett University.
25	No idea.	25	Q Did you obtain any degrees?
	Page 13		Page 15
1	Q If you married Gillian in 2014, was it well	1	A Yes.
2	before that --	2	Q What degree?
3	A Yes.	3	A My bachelor's of business.
4	Q -- your divorce?	4	Q And when did you graduate?
5	Did any of these relationships overlap?	5	A Either 2007, 2008.
6	A No.	6	Q Did you attend any secondary school post-graduate
7	Q Okay. So you were not seeing any of these women	7	school, any of that afterwards?
8	at the same time?	8	A I did, yes.
9	A That's correct.	9	Q Okay. And where did you go?
10	Q Was there any infidelity by either party in any	10	A Texas A&M.
11	of these marriages?	11	Q And did you obtain any degrees?
12	A No.	12	A Yes.
13	Q Okay. And before Kendra, were you married before	13	Q Okay. And what was that?
14	that?	14	A My MBA.
15	A No.	15	Q And when was that?
16	Q Okay. So during your employment at	16	A Maybe 2017/2018 time frame.
17	Bloomingdale's 2016 to 2017, you were married to Gillian; is	17	Q Okay. So that was after you left Bloomingdale's?
18	that correct?	18	A Correct. I was --
19	A That's correct.	19	No, I believe I completed it before I left
20	Q At any point did you and Gillian, during your	20	Bloomingdale's, if I'm not mistaken.
21	employment 2016 and 2017, did you separate?	21	Q Okay. Any other degrees?
22	A No.	22	Any other training courses?
23	Q Were you having marital problems?	23	A Nope.
24	A Nope.	24	Q Now just asking about your employment.
25	Q And were you seeing anyone on the side?	25	Who is your current employer?

	Page 16		Page 18
1	A Green Hall Logistics.	1	Q So in 2019 where were you working?
2	Q And what is your position?	2	A Here in Dallas.
3	A I'm CEO.	3	Q Okay. So when did you --
4	Q When did you start working there?	4	I guess would you say you were laid off by
5	A 2020. Yeah, 2020.	5	Bloomingdale's?
6	Q Okay. And were you hired to be the CEO?	6	A Yes.
7	A I started the company.	7	Q Right, okay.
8	Q Okay. And do you work in Texas -- Dallas, Texas?	8	So when were you laid off from Bloomingdale's?
9	A Yes.	9	A Your audio cut out in the beginning.
10	Q Where did you work before that?	10	Q When were you laid off?
11	A Bloomingdale's and --	11	A It should have been 2019.
12	Between Bloomingdale's and Green Hall was Trident	12	Q Okay. And which store?
13	Alliance Group.	13	Withdrawn.
14	Q So directly before 2020, where did you work?	14	That was from the Short Hill store; is that
15	A Trident Alliance Group.	15	correct?
16	Q And where was that?	16	A I was at the Short Hill store, yes, but it was
17	A Dallas.	17	from the company.
18	Q What was your position?	18	Q Okay. And before that where did you work?
19	A CEO.	19	A For Bloomingdale's?
20	Q And why did you leave there?	20	Q Anywhere.
21	A I sold the company.	21	So I would assume before that would be
22	Q So Trident, you sold the company; is that	22	Bloomingdale's 59th Street location; correct?
23	correct?	23	A Correct.
24	A Correct.	24	Q Okay. And I'll come back to that.
25	Q How long was the company in existence?	25	Before that, where did you work?
	Page 17		Page 19
1	When did you create the company?	1	A Standard & Poors.
2	A In 2019.	2	Q And when did you work there?
3	Q And why did you sell the company?	3	A That would have been 2015/2016 up until I started
4	A It was --	4	working for Bloomingdale's.
5	It worked out for me is why. No other reason.	5	Q Why did you leave?
6	Q Did you have any employees at Trident?	6	A Why did I leave Standard & Poors?
7	A Yeah.	7	Q Yes.
8	Q How many employees did you have?	8	A Because Bloomingdale's was a better company.
9	A I believe last count was maybe somewhere between	9	Q Were you recruited, or did you apply for a
10	105, 115.	10	position at Bloomingdale's?
11	Q Did any of those employees make a complaint	11	A I was recruited.
12	against you?	12	Q Okay. And can you just spell that employer?
13	A No.	13	A Standard like the common spelling,
14	Q Did you have a relationship with any of those	14	S-t-a-n-d-a-r-d & Poors, P-o-o-r-s with the S&P 500.
15	employees?	15	Q What was your position?
16	A Only as their boss.	16	A I was a financial analyst.
17	Q So in 2018 before you created Trident, where did	17	Q And was that your starting position?
18	you work?	18	A Yes.
19	A Until 19 --	19	Q Correct me if I'm wrong. That's 2015 to 2017,
20	So before Trident, when I left, so I worked --	20	right, that you worked there?
21	Okay. So I left Bloomingdale's. I actually left	21	A Yes, it was --
22	due to reorganization. So because I was a senior executive,	22	It would have either been 2015/16 up until I
23	I received a severance package, and that was mostly the	23	went to Bloomingdale's.
24	capital I used to start creating the companies that I	24	Q Okay.
25	founded.	25	A I'm not sure which year I started at either one.

	Page 20		Page 22
1	Q Okay. And Standard & Poors, did you receive any	1	A For both Short Hills and 59th Street --
2	disciplinary action?	2	At the 59th Street, I supervised a portion of the
3	A No.	3	asset protection team.
4	Q Did anyone make a complaint against you?	4	And at Short Hills, New Jersey, I supervised the
5	A No.	5	entire team.
6	Q Did you have a relationship with anyone there --	6	Q Okay. Can you elaborate what's the asset
7	A No.	7	protection team?
8	Q -- besides professional?	8	A Loss prevention, minimizing store loss.
9	Any personal relationship?	9	Q Okay. So is it just people stealing in the
10	A No personal --	10	store?
11	Or no romantic relationships.	11	A It is minimizing store loss caused by, yes,
12	Q Okay. And then before that in 2015, where did	12	customers, but also employees in the logistics chain itself.
13	you work?	13	Q Who did you report to?
14	A Before '15 was the United States Marine Corps.	14	A I reported to Fred Becker, the one I reached out
15	Q Okay. And why did you leave there?	15	to regarding this deposition.
16	A Personal reasons.	16	Q Okay. Can you describe your job duties,
17	Q Were you fired or told to leave?	17	responsibilities?
18	A Nope.	18	A Essentially managing the team who, you know,
19	Q Okay. So did you resign?	19	directly interacted with, you know, the customers, employees
20	A I did.	20	regarding any potential loss or loss investigations, and
21	Q Okay. Did you receive any disciplinary action	21	making sure everyone was within the company policies
22	against you?	22	regarding asset protection and interaction with all of those
23	A Nope.	23	entities.
24	Q Okay. How long were you in the Marine Corps?	24	Q Okay. So did you watch like the cameras --
25	A 15'ish years.	25	Were you monitoring the cameras on a daily basis?
	Page 21		Page 23
1	Q Okay.	1	A Me specifically, no.
2	A I think 15 years.	2	As senior executive, would I look at the camera
3	Q At any of these employers, did anyone accuse you	3	from time to time, yes, maybe for a few minutes if something
4	of sexual harassment?	4	was going on in that moment, but there were employees --
5	A No.	5	The asset protection team, the external team
6	Q So now we're going to go back to your employment	6	monitored -- they had a rotating schedule of who was
7	with Bloomingdale's.	7	monitoring the cameras on an hourly basis every day.
8	So you left Standard & Poors where you were a	8	Q Okay. Did you go on the floor and monitor what
9	financial analyst and then went to Bloomingdale's; correct?	9	was going on there as well?
10	A Correct.	10	A Yes.
11	Q What was your starting position at	11	Q Okay. Were you given --
12	Bloomingdale's?	12	Were you given an employee handbook when you
13	A I was a senior executive in asset protection.	13	started?
14	Q Did you have the same position all the way	14	A I don't recall. I'm sure that I did receive one.
15	through 2017 -- I guess 2016/17?	15	Q Was it updated every year?
16	A Yes, both. The entire of my tenure with	16	A That I can't answer. I don't recall.
17	Bloomingdale's, I had the same position.	17	Q Were you given any information regarding sexual
18	Q Okay. So even at Short Hills it was the same	18	harassment or discrimination when you started?
19	position?	19	A Yes.
20	A Yes.	20	Q What was that information?
21	Q Okay. Who did you interview with?	21	A I don't remember specifically, but it started off
22	A I do not recall.	22	obviously it's not tolerated, and that's -- you know,
23	Q Were you a manager?	23	whether that is a higher-position person to a lower-position
24	A Yes.	24	person, peers, or a lower-position person to a
25	Q And who did you supervise?	25	higher-position person or customers or vendors.

<p style="text-align: right;">Page 24</p> <p>1 There were ways to report. I don't recall all of      2 them, but there were, you know, direct reports to your boss,      3 of course HR you could reach out to, headquarters, and there      4 were anonymous -- ways to report anonymous, third-party. I      5 believe Macy's had -- they hired a company.</p> <p>6 Q Okay. And was there any training done every year      7 regarding sexual harassment?</p> <p>8 A I don't recall. Yeah, I don't recall.</p> <p>9 Q Okay. As a manager, did you receive any separate      10 training regarding reporting sexual harassment,      11 discrimination?</p> <p>12 A I believe we did from one of the HR managers.</p> <p>13 Q Okay. Did you have to sign off on anything?</p> <p>14 A Possibly. I can't say for sure whether we did or      15 not.</p> <p>16 Q Okay. During your tenure at Bloomingdale's, was      17 anyone accused of sexual harassment?</p> <p>18 A I don't recall anyone or any investigation or      19 anything regarding that.</p> <p>20 Not saying it didn't happen. I just don't recall      21 it.</p> <p>22 Q Okay. Did you report any discrimination, sexual      23 harassment, anything like that?</p> <p>24 A No.</p> <p>25 Q Did you receive any disciplinary action --</p>	<p>1 personal relationships?</p> <p>2 A No.</p> <p>3 Q Have you ever been fired from any of your      4 employers?</p> <p>5 A No.</p> <p>6 Q Okay. You said that --</p> <p>7 Withdrawn.</p> <p>8 Did you work in the Chanel department?</p> <p>9 A No. I worked in asset protection.</p> <p>10 Q Did you visit the Chanel department?</p> <p>11 A Yes, I visited all the departments there.</p> <p>12 Q So on a daily basis, did you go to every      13 department?</p> <p>14 A No. Just key areas that we do check every day      15 like fine jewelry, the jewelry department, just because of      16 the expense, things like that, but --</p> <p>17 That's generally kind of how it worked. Some of      18 the more high-dollar or more vulnerable places we do visit      19 on a daily basis.</p> <p>20 Other than that, you make your rounds around the      21 entire store.</p> <p>22 Q Did you assign who went to which location?</p> <p>23 A No.</p> <p>24 Q Who assigned it?</p> <p>25 A So for the external team would be -- the</p>
<p style="text-align: right;">Page 25</p> <p>1 A No.</p> <p>2 Q -- during your tenure at Bloomingdale's?</p> <p>3 A I did not.</p> <p>4 Q Were you written up?</p> <p>5 A No.</p> <p>6 Q Did you receive an evaluation every year?</p> <p>7 A I'm assuming so.</p> <p>8 I just don't recall.</p> <p>9 Q Okay. So do you recall having a review with      10 Mr. Becker?</p> <p>11 A Yes, I believe we sat down and went over --      12 I don't know the time frame, whether it was      13 quarterly, annually or what it was, but I believe we sat      14 down and did some type of review.</p> <p>15 Q Okay. At any point did Mr. Becker tell you --</p> <p>16 Withdrawn.</p> <p>17 Do you maintain any social or personal      18 relationships with any of your former Bloomingdale's      19 co-workers?</p> <p>20 A I believe on birthdays there's --</p> <p>21 You know, when I used to have social media, yeah,      22 wish someone a happy birthday, but that's about the extent      23 of it.</p> <p>24 Q Okay. And besides Bloomingdale's, how about at      25 Standard &amp; Poors, did you have any personal -- maintain any</p>	<p style="text-align: right;">Page 27</p> <p>1 supervisor would be the external team supervisor sets the      2 daily and hourly schedules.</p> <p>3 Q What do you mean by "external team"?</p> <p>4 A So there's the asset protection team as a whole      5 just at 59th Street was around 100 employees. So that's      6 broken down between the external team and the internal team.</p> <p>7 And if you want to call -- I forget what the term      8 is, but the logistics side, if you will, and each of those      9 has a supervisor for their team who would handle something      10 like assigning who goes where on the daily and hourly      11 schedules.</p> <p>12 Q Okay. So were you part of the external team      13 then?</p> <p>14 A Yeah, so as one of the executives, we all had a      15 team. All of the executives aren't there, so we would cover      16 all the silos, if you will, at some point.</p> <p>17 Q Okay. So then did you assist in assigning who      18 went to what location?</p> <p>19 A No. That was a supervisor's job to post      20 schedules or set up and post schedules.</p> <p>21 The only time I believe we got involved with      22 scheduling is if, you know, there were like haul-outs or      23 some weather-related issue that, you know, we had to assist      24 getting people in or moving people around or approving      25 overtime, things like that.</p>

	Page 28		Page 30
1	Q Okay. So you going to visit each department or	1	usually something happening live, and that doesn't go
2	whichever department was at your discretion; is that	2	through HR itself in the moment.
3	correct?	3	Q Okay. Was any of those people that were reported
4	A Yes.	4	Kristina Mikhaylova?
5	Q And what was your workweek?	5	A I don't recall.
6	Like what were your shifts, your schedule?	6	And like I said, I was assigned the external
7	A It's retail, so it changes. Sometimes we're	7	team. One of the other senior executives was over the
8	opening. Sometimes we're a missed schedule. Sometimes	8	internal team.
9	we're a closer. It depends on the needs of the store	9	So that would come to me if he wasn't available,
10	itself.	10	so it would have been very minimal times that that would
11	Q Did you have an office?	11	happen. However, I don't recall Kristina at all.
12	A Yes. We have an asset protection office.	12	Q Okay. And did you work with Christopher
13	Q Did you have your own desk --	13	Castellani?
14	A Yes.	14	A I did, yes.
15	Q -- or a cubicle?	15	Q In what capacity did you work with him?
16	A No.	16	A He was my peer.
17	I did have my own --	17	Q Okay. Can you elaborate as to how you worked
18	Q Okay. So then you would go to your desk, and	18	together?
19	then at times then go down to the floor or different	19	A We were both senior executives. He was primarily
20	departments; is that correct?	20	over -- at least when I was there, he was primary over the
21	A Correct.	21	internal team.
22	Q Did you ever have an employee investigated?	22	Q Okay. And that was at the 59th Street store;
23	A Can you explain?	23	correct?
24	Did I have an employee investigated?	24	A Correct.
25	Q Yeah. Did you accuse someone or say that they	25	MS. MENDOZA: If you don't mind, if we could take
	Page 29		Page 31
1	had been stealing or doing any -- there was any wrongdoing	1	a five-minute break. I just want to upload an exhibit.
2	by that employee?	2	(Recess was taken.)
3	A No.	3	MS. MENDOZA: I'm going to be entering
4	So the way our team worked, our internal term	4	Plaintiff's Exhibit 1.
5	would focus what it sounds like internally specifically on	5	(Exhibit 1 was marked for identification.)
6	employees. And our external team is, you know, specifically	6	BY MS. MENDOZA:
7	focused on the customer not associated with the store	7	Q Mr. Booker, you said that you do not recall who
8	itself.	8	Kristina Mikhaylova is; correct?
9	The internal team does investigations. Their job	9	A Correct.
10	specifically is to do investigations, to run reports, to try	10	Q Does this photo refresh your recollection?
11	to figure out what's going on. From there, they would bring	11	A That photo, she doesn't look familiar, no.
12	the information to us before we go to -- before we present a	12	Q No, okay.
13	package to HR, and essentially HR can tell us if we can, you	13	You don't recall anyone from the Chanel
14	know, further that investigation or interview or not.	14	department during your tenure at the 59th Street location
15	The investigating executives, we don't get to	15	that looked like that?
16	just investigate someone.	16	A No.
17	Q Okay. So did anyone come to you with a report or	17	MS. MENDOZA: You can take that off the screen.
18	something so that you could bring it to HR to investigate?	18	Thank you.
19	A Yes, the internal team would put their packages	19	MS. TIERNEY: Melissa, was that produced in
20	together, if you will, and they would bring them up to the	20	discovery? Is there a Bates number, because I don't
21	senior executive, whoever was available.	21	remember that?
22	They'd go through it, and we'd talk with the	22	MS. MENDOZA: No, it was not.
23	human resources manager if we, you know, could go further or	23	MS. TIERNEY: I would ask that you produce that
24	not.	24	then since you used it in this deposition.
25	The only difference is, the external team, it's	25	MS. MENDOZA: Yes. I know defendants, I believe,

<p>1 you guys did produce --</p> <p>2 I don't know if you want to go off the record,</p> <p>3 but you did produce a photo. We're trying to get that</p> <p>4 photo with that Bates stamp.</p> <p>5 MS. TIERNEY: I was just saying I haven't seen</p> <p>6 that one.</p> <p>7 MS. MENDOZA: Yeah. But just for purposes of</p> <p>8 because Mr. Booker did not recall who she was, I just</p> <p>9 was trying to see if it --</p> <p>10 MS. TIERNEY: I'm not objecting to the photo.</p> <p>11 But since you've used it, I want a copy of it.</p> <p>12 MS. MENDOZA: Okay. Will do.</p> <p>13 BY MS. MENDOZA:</p> <p>14 Q All right. So do you recall how many employees</p> <p>15 were in the Chanel department when you worked there?</p> <p>16 A I don't. They had a small store. I wasn't</p> <p>17 responsible for the Chanel department.</p> <p>18 The store is responsible for 59th Street, and we</p> <p>19 have close to 2,000 employees at that one store.</p> <p>20 Q Okay. Do you recall --</p> <p>21 Withdrawn.</p> <p>22 Going back to where we left off, we were</p> <p>23 discussing your relationship or your peer, Christopher</p> <p>24 Castellani; right?</p> <p>25 So were you involved in any investigations with</p>	<p>Page 32</p> <p>1 team, yes, we had some employees who violated</p> <p>2 Bloomingdale's/Macy's policy as far as handling customers.</p> <p>3 Where that can happen --</p> <p>4 And I believe this particular was in the street.</p> <p>5 It happened outside the store in the street and, by our</p> <p>6 requirements, you know, had to recommend that, you know,</p> <p>7 these are policy violations -- terminal violations, and we'd</p> <p>8 recommend that to human resources. They go back and review</p> <p>9 everything, even regardless of what we've done, and the HR</p> <p>10 manager ultimately determines if they are in violation and</p> <p>11 if they will be terminated.</p> <p>12 Q Okay. I'm assuming that particularly was not</p> <p>13 Kristina, correct, Kristina Mikhaylova?</p> <p>14 A No, Kristina didn't work on the external team.</p> <p>15 As far as recommending store employees outside of</p> <p>16 the asset protection team, no, we don't, unless they were</p> <p>17 investigated by the internal team, and that is already</p> <p>18 handled by human resources.</p> <p>19 Q Right.</p> <p>20 So my question is, did you recommend to human</p> <p>21 resources that anyone outside of the external asset</p> <p>22 protection department -- any Bloomingdale's employee be</p> <p>23 fired?</p> <p>24 A Not that I recall.</p> <p>25 Q Were you involved in any investigations regarding</p>	<p>Page 34</p>
<p>1 Mr. Castellani, or were they completely separate</p> <p>2 departments?</p> <p>3 A So they're not completely separate, but they are</p> <p>4 separate departments.</p> <p>5 When it comes to investigation, the team handles</p> <p>6 that, and the supervisor or the senior executive, the</p> <p>7 primary was Chris.</p> <p>8 If there was a sit-in on interviews --</p> <p>9 So our interviews are -- by policy, are recorded.</p> <p>10 If there's a female, there's always a female witness.</p> <p>11 Whether they're from HR, there's always a female witness as</p> <p>12 well.</p> <p>13 As far as helping Chris with the investigations,</p> <p>14 I do recall sitting in on some of the interviews with him.</p> <p>15 But other than that, I'm not sure what you're asking.</p> <p>16 Q Okay. Did you fire any employees?</p> <p>17 A We can't fire anyone. We can recommend to human</p> <p>18 resources.</p> <p>19 If the HR manager, going through their policy</p> <p>20 requirements for the company, they deem firing or</p> <p>21 termination is in line with company policy, they can handle</p> <p>22 that. We don't fire anyone.</p> <p>23 Q Did you recommend anyone -- that anyone was</p> <p>24 fired?</p> <p>25 A I believe so, yes. I believe on the external</p>	<p>Page 33</p> <p>1 fraud?</p> <p>2 A There's a possibility. I just don't recall.</p> <p>3 Q Okay. Was any of --</p> <p>4 Were any of them involving Kristina Mikhaylova?</p> <p>5 A Not that I recall.</p> <p>6 I believe a fraud that I recall was a customer on</p> <p>7 the upper east side who was buying things there and finding</p> <p>8 a way to reattach tags and return them for somewhere upwards</p> <p>9 of like \$100,000 sticks out in my head.</p> <p>10 Other than that, I honestly have no recollection</p> <p>11 of your client at all.</p> <p>12 Q I uploaded another picture of the plaintiff --</p> <p>13 this will be Plaintiff's Exhibit 2 -- to see if this</p> <p>14 refreshes your recollection of who she is.</p> <p>15 MS. MENDOZA: And that was not produced, so I'll</p> <p>16 be producing this as well.</p> <p>17 MS. TIERNEY: Okay.</p> <p>18 (Exhibit 2 was marked for identification.)</p> <p>19 BY MS. MENDOZA:</p> <p>20 Q Does this refresh your recollection of who</p> <p>21 Kristina Mikhaylova is?</p> <p>22 A It doesn't. I'm sorry.</p> <p>23 Q You can take that off the screen. Thank you.</p> <p>24 What authority did you have over Chanel</p> <p>25 department employees?</p>	<p>Page 35</p>

	Page 36		Page 38
1	A So I believe Chanel department employees are not	1	Q Okay. Did you ever speak with Richard Law during
2	Bloomingdale's employees, if I'm not mistaken. So they had	2	your tenure?
3	an individual security personnel -- supervisor stationed	3	A I don't recall. Just by the name, I don't
4	there in Chanel just because of high-dollar items that they	4	recall.
5	had. They had one that was stationed specifically in their	5	Q Okay. Did you ever correspond with a human
6	store.	6	resources representative during your employment?
7	As long as there were no reported violations that	7	A Of course. We --
8	were against Macy's policy, we didn't have any direct	8	Again, we don't --
9	control of those employees. As long as they follow whoever	9	We're managers of the department but, you know,
10	hired them or Chanel's policies, and they didn't violate	10	as far as policy, firing people, investigating, you know,
11	Macy's policies or Bloomingdale's policies that we were	11	investigations going further than the initial, we have an HR
12	aware of, we had no -- we didn't control them all. I don't	12	partner, or I think we had a couple of HR partners, human
13	believe they were Bloomingdale's employees.	13	resource manager that we, you know, worked with to make sure
14	Q Okay. Were you friends with any of the Chanel	14	that we were also, you know, within policy.
15	department employees?	15	Q Okay. And do you recall if any of those people
16	A I was with security because, you know, we're	16	went by the name of Richard Law?
17	obviously a part of the security team. But as far as the	17	A Possibly. I just don't recall at this moment.
18	employees, other than being cordial, you know, friendly and,	18	Q Do you know who is Dennis Diaz?
19	you know, making sure they had someone they could report,	19	A Not by the name.
20	you know, whatever to that may happen in their store as a	20	Q Did you correspond with the managers for the
21	possible violation or was theft, that's about it.	21	Chanel department -- the Chanel handbag department or
22	Q Okay. Do you know who Eleanor Dahan is?	22	accessories department during your tenure at Bloomingdale's?
23	A Name sounds familiar. The first name sounds	23	A I don't think so. Again, they weren't
24	familiar, but I can't say for sure.	24	Bloomingdale's employees.
25	Q Do you recall an Eleanor -- speaking to an	25	So I believe usually when one of them -- one of
	Page 37		Page 39
1	Eleanor in the Chanel department -- that worked in the	1	them or Gucci or any of those high-dollar satellite stores,
2	Chanel department?	2	if you will, had an issue, they would reach out to us, but
3	A Possibly. I mean, I had conversations with	3	we didn't have an ongoing like corresponding relationship
4	everyone.	4	with any of those satellite stores, if you will, high-dollar
5	Q Okay. When you say you have conversations, did	5	stores.
6	you go into the Chanel department just to check in, or did	6	Q Do you recall any female employees that were
7	you stay like as security, and you watched the door?	7	pregnant during your employment at Bloomingdale's?
8	A No, I didn't stay there as security because they	8	A I don't.
9	had their own security.	9	I'm sure that there were. I just don't recall
10	One of the asset protection employees, external	10	specifically a pregnant woman at Bloomingdale's.
11	employees, we would go to visit to make sure our	11	Q Did you correspond with anyone that was pregnant,
12	personnel -- our asset protection personnel were good, they	12	like communicate cordially?
13	didn't need anything, that whatever the time was like if	13	A Explain "communication cordially."
14	they were supposed to be relieved, that they got relieved.	14	Q Like when you were going and doing your rounds or
15	Yes, that includes Prada, Louis Vuitton. In the	15	walking around, did you ever speak with any employee -- were
16	59th Street store, they're all generally in the same	16	you on friendly terms with an employee regularly that you
17	location. They're all high-dollar. They're close to a door	17	knew was pregnant?
18	that leads outside and to the subway.	18	A I don't recall, but regularly, friendly with
19	So throughout the rounds, yes, we stopped by	19	everyone in the store as part of my job and part of our
20	there because they're a high-risk area and, yes, talked to	20	policy to make sure that they can report anything to us.
21	our security, talking to the employees, in all of the	21	So I imagine some of the employees may have been
22	handbag stores that were there.	22	pregnant.
23	Q Okay. So I'll come back to that.	23	Q I'm saying this just to refresh your recollection
24	Do you know who Cathy -- who is Cathy Eunice?	24	as to Kristina Mikhaylova because at the time she was
25	A I don't by the name recall who that is.	25	pregnant in 2016/2017, so I'm trying to see if maybe that

<p style="text-align: right;">Page 40</p> <p>1 would help refresh your recollection, in the Chanel      2 department, that woman you saw in those pictures, if she was      3 pregnant, if you recall, if that maybe will help refresh      4 your recollection.      5 Does that help?      6 A It does not.      7 MR. FLOWERS: I'm going to object to the form.      8 You can answer.      9 BY MS. MENDOZA:      10 Q You said it does not refresh your recollection?      11 A No.      12 Q Okay. Did you have any conversations --      13 Withdrawn.      14 Did you work with corporate regarding asset      15 protection or handling your daily duties, responsibilities?      16 A Daily would have come from I believe large cases      17 maybe or when we had to work with multiple stores or there      18 was, you know, some organized crime, which happens a lot up      19 there in the East Coast, was something we'd work with      20 corporate with.      21 But as far as talking with them on a daily basis,      22 no.      23 Q So did you --      24 As far as with organized crime, were you involved      25 in any investigations?</p>	<p style="text-align: right;">Page 42</p> <p>1 Q Okay. Were you --      2 About how many were you involved in?      3 A I can't say. Yeah, I don't recall.      4 Q Was it because it's a large number or because you      5 just --      6 Withdrawn.      7 Was it because it's a large number?      8 A Not that it's a large number. So that's a lot of      9 manpower that takes a lot of focus and efforts from      10 everyone. Those large crime organizations aren't hitting      11 you every day.      12 So if we did get something or we suspected      13 something, we'd communicate with them, but it's not      14 something that's happening every day.      15 When it happens, it's really big and really      16 expensive, but it's not happening every single day.      17 Q Okay. Do you recall if it involved anyone in the      18 Chanel department?      19 A No. I believe the one I can positively remember,      20 it was legitimately a large crime organization, and they      21 were doing some interstate things, and I don't believe it      22 was specifically a Chanel issue.      23 Q Do you recall the outcome of any of those      24 investigations?      25 A No, because, like you mentioned, those are --</p>
<p style="text-align: right;">Page 41</p> <p>1 A We would essentially corroborate any information      2 that we had that they may have been asking for, or we made      3 sure they had information that we received so we were      4 basically on the same page with each other when it came to      5 those type of investigations.      6 Q Okay. Do you recall --      7 When you say "those type of investigations," was      8 there -- did it happen often?      9 A It didn't happen often, but it's a very big --      10 very big issue, you know, for big retail stores, especially      11 high-dollar, like Bloomingdale's, where there were these      12 organized crimes or crime organizations were, you know,      13 hitting the stores -- high-dollar stores in large      14 quantities, you know, repeatedly, and kind of giving the      15 store a big loss.      16 So it wasn't something we had to focus on daily.      17 Again, with 2,000 employees and countless customers, we had      18 a lot to deal with, but at some times we did recognize      19 people we were supposed to be on the lookout for, recognize      20 who NYPD or whoever had identified as part of a much larger      21 like retail criminal organization.      22 But short of coming across one of those or      23 recognizing one of those or being alerted by either one of      24 those, either corporate or NYPD, no, it wasn't a daily thing      25 that we focused on.</p>	<p style="text-align: right;">Page 43</p> <p>1 that is handled mostly by the corporate team and the -- at      2 least up there, the New Jersey and New York police      3 departments once it's kind of off the ground.      4 Q Okay. Did you have any conversations with      5 anyone --      6 Withdrawn.      7 Was there anyone specific in corporate that you      8 corresponded with or communicated with?      9 A I don't think specifically. They have a team as      10 well at the corporate office. I want to say it may have      11 been five or six of them at the corporate office there.      12 Again, it probably usually was everyone is on the      13 e-mail together versus just talking to one individual, so      14 the entire team is aware of what's going on.      15 Q Okay. Were you involved in any investigations      16 regarding diverters?      17 A Explain "diverters."      18 Q Anyone that was reselling or making a profit off      19 of purchases that they made with their employee discount?      20 A No. I do recall our external team, that's one of      21 the things that they did focus on because I believe that is      22 against the policy, basically using your discount. Taking      23 that and reselling I believe is against both Macy's and      24 Bloomingdale's policy.      25 I don't remember any specific incidents. I'm not</p>

<p>1 saying --</p> <p>2 I'm sure those investigations happened while I</p> <p>3 was there. I just don't recall specifically.</p> <p>4 Q So you didn't accuse anyone or state that "I</p> <p>5 believe that this person is a diverter."</p> <p>6 Is that correct?</p> <p>7 A No.</p> <p>8 Q No, you don't recall or, no, you didn't do that?</p> <p>9 A No. And like I said, we can't fire or we can't</p> <p>10 investigate someone without human resources involved to look</p> <p>11 into something or to provide, you know, whatever more</p> <p>12 information to take those steps.</p> <p>13 But no, there's no one that I recall of singling</p> <p>14 out an employee and saying this person is a diverter.</p> <p>15 Q Did you do any investigations regarding discount</p> <p>16 abuse?</p> <p>17 A I've seen investigations started by the internal</p> <p>18 team, but I did not do any investigations for discount abuse</p> <p>19 that I recall, but as part of --</p> <p>20 I definitely, like I said, went to human</p> <p>21 resources, and the investigation continues, stops, or the</p> <p>22 interview happened from there from that aspect.</p> <p>23 Q Did you tip off --</p> <p>24 When I say "tip off," were you suspicious of any</p> <p>25 employees regarding any violation?</p>	<p>Page 44</p> <p>1 What department in Bloomingdale's had the most</p> <p>2 fraud?</p> <p>3 A I don't recall.</p> <p>4 When it comes to fraud, I'd say that probably</p> <p>5 came externally and probably through credit cards.</p> <p>6 ApplePay was a newer and a big issue back then</p> <p>7 when I was at 59th Street.</p> <p>8 As far as store department, I really don't -- I</p> <p>9 really can't say that. I don't recall that information.</p> <p>10 Q Do you recall about how many times a day you went</p> <p>11 into the Chanel department?</p> <p>12 A A day, you know, it would be less than zero. If</p> <p>13 we're talking a week, a handful of times a week.</p> <p>14 Q Okay. Did anyone ever tell you not to speak to</p> <p>15 another female employee?</p> <p>16 A No.</p> <p>17 Q Did any female employee tell you that they were</p> <p>18 uncomfortable about you?</p> <p>19 A No.</p> <p>20 Q Did you ever have any conversations about your</p> <p>21 personal life --</p> <p>22 Withdrawn.</p> <p>23 Did you have any conversations regarding your</p> <p>24 marriage with any female employee?</p> <p>25 A Other than me being married and maybe some events</p>
<p>1 A I'd say, generally speaking, there's some</p> <p>2 suspicion, as asset protection senior executive.</p> <p>3 The loss pie chart internally is, I believe,</p> <p>4 around 75 or 80 percent our loss happens internally. The</p> <p>5 customer, yes, they're the other big part of that, and the</p> <p>6 logistics side is somewhere around 1 percent.</p> <p>7 So, yes, there's always a suspicion -- healthy</p> <p>8 suspicion to be curious to investigate and, you know, leave</p> <p>9 doors open for people to report.</p> <p>10 Those things, we also incentivize those that</p> <p>11 actually saw it so employees who may be causing a loss to a</p> <p>12 store will report those things to us. In that aspect, yes.</p> <p>13 Was there anyone specifically that we were</p> <p>14 targeting?</p> <p>15 I don't recall that.</p> <p>16 Q So do you recall --</p> <p>17 You don't recall tipping off someone that you</p> <p>18 thought --</p> <p>19 When I say "someone," tipping off to the internal</p> <p>20 team, to corporate, asset protection -- someone in the asset</p> <p>21 protection department that this person needs to be</p> <p>22 investigated?</p> <p>23 Did you do that for any employee?</p> <p>24 A No. Not that I recall, no.</p> <p>25 Q Okay. Give me one moment.</p>	<p>Page 45</p> <p>1 that we would attend and things like that, no.</p> <p>2 Q Okay. Do you recall, did you have any</p> <p>3 conversations about cheating on your spouse?</p> <p>4 A No.</p> <p>5 Q Did you have any conversations regarding having</p> <p>6 an affair --</p> <p>7 A No.</p> <p>8 Q -- or having a side person?</p> <p>9 A No.</p> <p>10 Q Did you ever compliment any females on their</p> <p>11 clothing, female employees at Bloomingdale's?</p> <p>12 A Say the last part again.</p> <p>13 Q Female employees at Bloomingdale's.</p> <p>14 A I assume I probably would tell someone that an</p> <p>15 outfit or shoes or something looked good, but other than</p> <p>16 that, I'd have to say no.</p> <p>17 Q Did you compliment any female on their body?</p> <p>18 A No.</p> <p>19 Q Any body part?</p> <p>20 A No.</p> <p>21 Q How did you greet your female co-workers?</p> <p>22 A Same way I greet my male co-workers.</p> <p>23 Q And how is that?</p> <p>24 A "Good morning, good afternoon, how you doing,</p> <p>25 have a good day," things like that.</p>

<p>1 Q Did you ever hug them?</p> <p>2 A I may have, depending on our relationship --</p> <p>3 individual relationship.</p> <p>4 Q So did you hug any male employees?</p> <p>5 A Yes.</p> <p>6 Q And female employees?</p> <p>7 A Yes.</p> <p>8 Q And did you ever physically touch any female</p> <p>9 employee, besides hugging?</p> <p>10 Like did you physically touch them in any other</p> <p>11 way?</p> <p>12 A No.</p> <p>13 Q Did you ever discuss or have any conversations</p> <p>14 about exploring a side relationship?</p> <p>15 A Nope.</p> <p>16 Q Did you ever have any conversations with female</p> <p>17 employees about motorcycles?</p> <p>18 A Possibly.</p> <p>19 I have a lot of motorcycles.</p> <p>20 Q You have a lot of motorcycles?</p> <p>21 A Yes.</p> <p>22 Q Does that help refresh your recollection as to</p> <p>23 having a conversation with Kristina Mikhaylova about</p> <p>24 motorcycles?</p> <p>25 A No.</p>	Page 48	Page 50
<p>1 I'm pretty sure most of those employees at the</p> <p>2 time had seen -- I would sometimes ride my bike to work --</p> <p>3 one of my bikes to work, so there is a garage specifically</p> <p>4 for us up there or discounted garage, rather, and I'm</p> <p>5 certain that they have seen my motorcycles or my riding gear</p> <p>6 or any of those things, and they may have sparked a</p> <p>7 conversation.</p> <p>8 Q Okay. But that doesn't refresh your recollection</p> <p>9 if that woman that you saw before in the pictures, if that</p> <p>10 was who that person is?</p> <p>11 A No.</p> <p>12 Q Okay. So just going back to when you went into</p> <p>13 the departments, why would you stay in there for an extended</p> <p>14 period of time?</p> <p>15 A Well, there's --</p> <p>16 I don't know what "extended period of time" is.</p> <p>17 We'd visit all the departments. We'd talk to --</p> <p>18 For the ones that had their own or assigned</p> <p>19 security, we'd talk to those guys to make sure everything</p> <p>20 was okay, if they needed anything, that type of thing.</p> <p>21 Of course we are cordial to the employees, you</p> <p>22 know, if they need anything, they had anything to report,</p> <p>23 how the day is going, if they needed anything from us.</p> <p>24 But again, that's not really geared to just a</p> <p>25 handbag store, but to all 11 floors in the 59th Street</p>	Page 49	Page 51
		<p>1 building.</p> <p>2 Q Right.</p> <p>3 So was it that you would just check in, then keep</p> <p>4 on going, or did you stay, talk to people, and just hang out</p> <p>5 and then go move on to the next place?</p> <p>6 A Well, there's no hanging out. Again, it's 11</p> <p>7 floors and 2,000 employees that, you know, we have to have</p> <p>8 some type of oversight or watch over.</p> <p>9 So if we're hanging out, it's probably something</p> <p>10 going on external at that moment and our presence, as we</p> <p>11 dress and look different, allows us to be a little closer to</p> <p>12 someone who may be committing an offense against the store</p> <p>13 in that moment by some of the other employees.</p> <p>14 So, again, that's all departments throughout the</p> <p>15 entire store.</p> <p>16 Q You said that you possibly recalled a female</p> <p>17 employee by the name of Eleanor.</p> <p>18 Do you recall if she told you that Kristina</p> <p>19 Mikhaylova was a married woman with children?</p> <p>20 A Not that I recall.</p> <p>21 Q And do you recall having a conversation with</p> <p>22 Eleanor, if you recall who she is, about Kristina being in a</p> <p>23 committed relationship?</p> <p>24 A No, I don't.</p> <p>25 I remember the name Eleanor because it's kind of</p> <p>1 a unique name by comparison. So I do remember the name.</p> <p>2 The person, what she looks like, where she is,</p> <p>3 what department she works in, I'm not sure, but the name</p> <p>4 sounds familiar as in its uniqueness compared to most names.</p> <p>5 Q Do you remember a female employee that was</p> <p>6 Russian in the Chanel department?</p> <p>7 A I don't.</p> <p>8 MS. MENDOZA: I'm going to be moving on to the</p> <p>9 next part. I don't know if you want to take a break.</p> <p>10 I'm going to be asking -- moving to another section</p> <p>11 now. It's up to you.</p> <p>12 MR. FLOWERS: We're fine with going on.</p> <p>13 MS. MENDOZA: Keep going?</p> <p>14 MR. FLOWERS: Yes.</p> <p>15 BY MS. MENDOZA:</p> <p>16 Q All right. So just going back to the policies</p> <p>17 regarding sexual harassment, discrimination, did you -- you</p> <p>18 said that you believe that there was training when you</p> <p>19 started, correct, policies in training?</p> <p>20 A Yes.</p> <p>21 Q And did you conduct any training for any of the</p> <p>22 employees that you supervised regarding reporting sexual</p> <p>23 harassment, discrimination?</p> <p>24 A We may have had to review or, you know, inform</p> <p>25 our guys of some updates or something along those lines.</p>

	Page 52		Page 54
1	I honestly don't recall.		A It depends on the very specific situation.
2	MS. MENDOZA: Okay. I think if we have Bates	2	Q Okay. And can you elaborate?
3	stamped Exhibit 2, if we can put that on the screen,	3	What do you mean by that?
4	please.	4	A If two good friends are having a conversation
5	Yeah, we have --	5	that I overhear, and they're comfortable with each other,
6	I uploaded documents as Exhibit 2. This will be	6	and it's, you know, not outwardly inappropriate, then
7	Plaintiff's Exhibit 3, if you want to take a moment to	7	there's no reason to report them for a personal conversation
8	look at that document, Mr. Booker.	8	that they were having based on their relationship.
9	(Exhibit 3 was marked for identification.)	9	Q Okay. How can you tell if someone is
10	MS. TIERNEY: Can you state the Bates for the	10	uncomfortable?
11	record, Melissa?	11	A Well, if you were --
12	MS. MENDOZA: Yeah, it's BLM001021 to _1086.	12	Well, if you're in their space, and they are
13	MR. FLOWERS: For the record, we can see about a	13	joking and having a good time, and no one steps away or
14	half page of contents.	14	appears, you know, like they're uncomfortable or they have
15	MS. MENDOZA: Yeah, so if you can give them --	15	an issue or, you know, they're looking around for someone to
16	I don't know if you want to have control or just	16	help them in the situation, the assumption is that they are
17	let him know, and we'll keep moving down the screen.	17	okay with that.
18	It's up to you if you want control of the document.	18	And especially for us, the store knew who we
19	MR. FLOWERS: That's fine.	19	were. If they had an issue, they're informed numerous times
20	BY MS. MENDOZA:	20	that they can report to us that information, or they can go
21	Q So just keep scrolling. Just take a full look at	21	right to HR, you know, or do the anonymous thing through the
22	it. This is the Employee Handbook for 59th Street that was	22	third party and say, hey, you know, this senior executive,
23	produced in this case, if you want to take a look through it	23	blah, blah, blah, you know, mentioned that, or was around,
24	first before I ask you questions on it.	24	and they may have overheard it. So there's, you know --
25	As he's scrolling through it, do you recall this	25	To say every situation, every conversation is
	Page 53		Page 55
1	document that you see in front of you?	1	inappropriate is a bit much. I don't know everyone's
2	A It does look familiar.	2	relationship, but I just know outwardly signs that show that
3	Q Okay. If you'd turn to --	3	that relationship or that conversation is inappropriate and
4	If you go to _1032, Bates stamp _1032. You can	4	got to kind of leave it there.
5	stop -- not go that far.	5	Q Okay. And according to Bloomingdale's policies,
6	This is regarding the sexual harassment policy.	6	were there any comments that were off-limits?
7	I just want to know if you recall seeing this.	7	A Inappropriate comments, which is subjective to --
8	Do you recall seeing that?	8	for the most part subjective to the individuals and the
9	A Yes, it looks familiar.	9	conversation and those in earshot.
10	Q Okay. And do you recall if this was the policy	10	So it's subjective.
11	that you're describing as to the sexual harassment policy	11	Q What do you mean by that?
12	that Bloomingdale's had while you were working there?	12	A Where me and Bruce may be having a conversation
13	A If it is what they provided for the time frame	13	that we're okay with, you know. Our relationship is that we
14	that I was there, then yes.	14	can say certain things or we can, you know, poke at each
15	Other than that, I don't know.	15	other about certain things, but someone who may not have a
16	MS. MENDOZA: So we can get off the screen.	16	relationship may overhear that and think that --
17	BY MS. MENDOZA:	17	So it's subjective to the relationship,
18	Q Do you recall what --	18	subjective to the people, subjective to the situation.
19	Withdrawn.	19	Q My question is, were there any objective comments
20	According to Bloomingdale's policies, would	20	that were off limits that were inappropriate and you were
21	complimenting another female employee's body be considered	21	not allowed to have at Bloomingdale's?
22	sexual harassment?	22	A I think anything that, you know --
23	A I believe so, yeah.	23	Objectively, anything that is overtly harassing
24	Q Okay. So if you heard someone complimenting	24	or demeaning, those are -- and that's both sexual or
25	another female's body, would you report that?	25	nonsexual, those are inappropriate.

<p>1 Q Okay. Can you give an example?</p> <p>2 A If a customer came in the store and, as you put</p> <p>3 it, complimented on or spoke outwardly about a woman's body,</p> <p>4 you know, that would be inappropriate.</p> <p>5 Q Okay. And what about talking about --</p> <p>6 So would you consider then talking about cheating</p> <p>7 or affairs or relationships, that's all subjective and</p> <p>8 personal to the relationship?</p> <p>9 A I think during work times those are conversations</p> <p>10 that shouldn't happen on the clock, if people are having</p> <p>11 those conversations. And so in that aspect, yes, that</p> <p>12 wouldn't be a work conversation or appropriate for work.</p> <p>13 Regardless of the relationship, it's a private conversation</p> <p>14 that they shouldn't be having while they're on the clock.</p> <p>15 Q Would you consider that sexual harassment?</p> <p>16 A Consider what sexual harassment?</p> <p>17 Q Inquiring or asking questions about another</p> <p>18 employee's relationships.</p> <p>19 MR. FLOWERS: Objection to form. You can answer.</p> <p>20 A State it again, please.</p> <p>21 BY MS. MENDOZA:</p> <p>22 Q Yeah, so is asking another person about another</p> <p>23 person's relationship, intimate relationship with a</p> <p>24 significant other, is that a form of sexual harassment</p> <p>25 according to Bloomingdale's policies?</p>	<p>Page 56</p> <p>1 considered a sexual advance under the Bloomingdale's</p> <p>2 policies?</p> <p>3 A A very overt one could be just, like I say, maybe</p> <p>4 one employee, male or female, touches another employee in</p> <p>5 the groin area.</p> <p>6 Q Okay. You said that you transferred to the Short</p> <p>7 Hills Bloomingdale's, right, in 2017; is that correct?</p> <p>8 A I believe that's --</p> <p>9 I believe it was 2017, yes.</p> <p>10 Q Okay. Why did you transfer?</p> <p>11 A We just did --</p> <p>12 So they did a small reorganization.</p> <p>13 Bloomingdale's did a small reorganization throughout the</p> <p>14 Bloomingdale's stores. So we moved me to the New Jersey</p> <p>15 store as they now had holes in their senior staff.</p> <p>16 Q So you were recommended to go to Short Hills?</p> <p>17 A Correct.</p> <p>18 Q Okay. Who recommended that you go there?</p> <p>19 A I don't remember. Probably conversations between</p> <p>20 Fred and the corporate office.</p> <p>21 Q Do you recall when that was?</p> <p>22 A When what was?</p> <p>23 Q Your transfer, or the discussions.</p> <p>24 A Discussions I was part of. I was informed it was</p> <p>25 part of the reorg, and then I believe I left, you know,</p>
<p>1 MR. FLOWERS: Objection to form.</p> <p>2 A It could be.</p> <p>3 BY MS. MENDOZA:</p> <p>4 Q Okay. And is any touching, according to --</p> <p>5 Any physical touch, according to the</p> <p>6 Bloomingdale's policies, is that considered sexual</p> <p>7 harassment, intimidation?</p> <p>8 A Any touch, no. There's a --</p> <p>9 Obviously there's a gray area there where, you</p> <p>10 know, an innocent touch or inappropriate touch, where that</p> <p>11 line is.</p> <p>12 So, again, it could be based on the very specific</p> <p>13 circumstances.</p> <p>14 Q Okay. Can you give me an example of an innocent</p> <p>15 touch?</p> <p>16 A An innocent touch could be hello/good-bye hug or</p> <p>17 handshake or pat on the back.</p> <p>18 Q And inappropriate?</p> <p>19 A Maybe grabbing someone in their groin area or</p> <p>20 things like that.</p> <p>21 Q Okay. During your employment at Bloomingdale's,</p> <p>22 did you ever see anyone make any sexual advances on another</p> <p>23 employee?</p> <p>24 A Not that I recall.</p> <p>25 Q Can you give an example of what would be</p>	<p>Page 57</p> <p>1 shortly after that.</p> <p>2 Q So you were informed --</p> <p>3 Do you recall if it was the summer?</p> <p>4 A I don't. I don't recall.</p> <p>5 Q Is there any document that would help you to</p> <p>6 remember when you transferred?</p> <p>7 A I don't think so.</p> <p>8 Maybe in the corporate office, but no.</p> <p>9 Q Okay. And you said that shortly after you</p> <p>10 arrived at the Short Hills location, you left.</p> <p>11 Were you let go then?</p> <p>12 A It wasn't shortly. I was there a while.</p> <p>13 How long that while is, I don't recall.</p> <p>14 And they did a second reorg, so I assume it was</p> <p>15 probably a year later in business terms.</p> <p>16 When they restructured, my regional boss, which I</p> <p>17 forgot his last name, but Michael, I believe he had the New</p> <p>18 Jersey/PA stores, and I was sitting at the flagship store</p> <p>19 for that region, and during the reorg --</p> <p>20 Whatever they worked out between him and</p> <p>21 corporate, he wanted to be at the store he was at, and I had</p> <p>22 the flagship store that I was sitting at. So during the</p> <p>23 reorg, he needed to be at my store per the corporate office.</p> <p>24 I forgot the options I had, but either way I had</p> <p>25 to leave, and one of the options was to take a severance</p>

<p>1 package, and I was happy to leave the East Coast, so I did.      2 Q Were you replaced by that gentleman that you're      3 talking about?      4 A Yes. So Michael was my boss once I left New      5 York. He was the boss for all of New Jersey and PA.      6 I wouldn't necessarily replace. I was sitting at      7 his store where he should have been. So they required him      8 to be at his store, so I had to leave.      9 Q So you said you had to leave no matter what; is      10 that correct?      11 A Correct.      12 Q Why did you have to leave no matter what?      13 A Because the flagship store for the company at      14 59th Street has 2000 some employees. The store at Short      15 Hills is maybe 100, 150 employees. It's an anchor store for      16 the mall there.      17 We're both senior executives, even though he's a      18 regional, if you will, so there's just not space.      19 Economically in business, it doesn't make sense to have two      20 senior personnel at that store without the footprint or need      21 for us both to be there.      22 Q Okay. But could you have taken any other      23 position within Bloomingdale's?      24 A I don't recall what the offer was with them.      25 I do recall that I couldn't remain at the store,</p>	<p style="text-align: right;">Page 60</p> <p>1 executives, I moved to New Jersey, and it just worked out      2 for everyone.      3 A year later, as they continued to make      4 operations more efficient as a company, they needed the      5 regional boss to sit at the store that I was sitting at,      6 which means that I had to leave.      7 Q Right.      8 So when you say a year later, because it sounds      9 like it's all within the same year, but then you're saying      10 it's a year later, so that's where I'm getting a little      11 confused.      12 So what do you mean by a year later?      13 A So I say year later just specifically in business      14 terms in that in any reorganization. So companies don't do      15 reorganizations multiple times a year unless something is      16 going really bad.      17 So, yes, they may do one per calendar year,      18 fiscal year, every three years, but those were the      19 circumstances that caused me to leave New York, and      20 ultimately those were the circumstances for the next      21 evolution or next phase.      22 However, it was set up, I'm not sure. That's a      23 conversation you have to have with the corporate office.      24 But there was a next step and a next step that required the      25 regional boss to be at the flagship store, which I sat at.</p>
<p>1 and I was more than happy to accept the severance package so      2 I could leave the East Coast.      3 Q Okay. And you said that was --      4 Would you say that was before --      5 Would you say that was at some point between      6 January -- well, January 2017 to December 2017, so before      7 2018?      8 A Possibly. I'm not sure. I believe I was still      9 up there in early 2018. I don't recall the exact dates,      10 however.      11 Q Okay. Just to be clear, they had a      12 reorganization at the 59th Street location or at the New      13 Jersey -- when you transferred to the New Jersey location?      14 Was it the reorganization that started at the New      15 Jersey location?      16 A So, it was several years. So the reorg was      17 corporate, so it's company-wide. And as I said, they did      18 the reorganization throughout the company. And all the      19 stores that they moved around, there were holes now in the      20 New Jersey/PA market, and we're kind of heavy, for good      21 reason, at the 59th Street.      22 I believe I was the most junior senior executive,      23 so that may have played a part in it, and I believe I was      24 probably already living in Jersey at this point.      25 So as there were holes there for senior</p>	<p style="text-align: right;">Page 61</p> <p>1 Q Were you opposed to the transfer to the Short      2 Hills location?      3 A I don't believe so. I believe I was already      4 living in New Jersey at that time, so it was going across      5 the tunnel or the bridge or the train across the waters, you      6 know, not the cheapest thing, so I imagine that I wasn't too      7 upset about it.      8 Q Okay. Did anyone else --      9 Was anyone else transferred at the time?      10 A Not right when I was. I believe Chris left      11 shortly after I did. As far as my peers, I don't believe      12 so.      13 Q What about when you --      14 I understand that your position was -- not that      15 you were replaced, but the person that you were in the      16 position for had to come now to take over.      17 Was anyone else let go or transferred or moved      18 from their position besides you?      19 A Yeah, so it was a big reorg. I remember some      20 people moving around in the other Manhattan stores and the      21 Boston area.      22 Who they were specifically, I don't recall what      23 happened with the rest of the company. I'm not sure. I      24 know some stories were closed after the reorg out west, but      25 I don't recall the specifics.</p>

	Page 64		Page 66
1	Q This is 2017; right?	1	against or claims against you; is that correct?
2	A Yes.	2	A That's correct.
3	Q Could you be transferred --	3	Q And when you say "before this deposition," do you
4	Could you have been transferred to a	4	mean before the subpoena -- you received the subpoena?
5	Bloomingdale's or Macy's in Texas?	5	A Before I talked to the attorneys, I didn't know
6	A Macy's, yes.	6	that there was any claim against me of any type.
7	Bloomingdale's, no.	7	Q Okay. And when you learned about the claims --
8	Again, I don't remember the full offer. Again, I	8	Do you know the specific claims that were made
9	was excited to be able to receive a severance package, and I	9	against you?
10	was excited to, you know, move back South. So that was my	10	A I don't.
11	choice when I heard and, you know, that's kind of what that	11	MS. MENDOZA: Okay. So just give me five
12	was.	12	minutes. We're going to upload --
13	Q Okay. And at that point were there any	13	I'm going to go on to this document, and then I
14	conversations --	14	should be done within the next 30 minutes unless,
15	Did you have any conversations regarding any	15	Betty, you have questions.
16	complaints against you by any female employees?	16	If we could just take a 10-minute break.
17	A No.	17	(Recess was taken.)
18	Q Okay. And when you --	18	MS. MENDOZA: If we can introduce the Amended
19	When you went to Texas, that's when you	19	Complaint Plaintiff's Exhibit 4.
20	started working for -- you created your own company;	20	(Exhibit 4 was marked for identification.)
21	correct?	21	Q Take a moment to look at that document.
22	A Correct.	22	MS. MENDOZA: Do you want to have control over
23	Q Trident, okay.	23	the document, or would you rather him attempt to scroll
24	Did Bloomingdale's agree --	24	it?
25	Withdrawn.	25	MR. FLOWERS: I don't have control over it here,
	Page 65		Page 67
1	Did you have a letter of reference or	1	so I guess we need to scroll it.
2	recommendation from Bloomingdale's after you left?	2	Of course, you know, it's not realistic that
3	A I believe I remember my bosses letting me know	3	Mr. Booker is going to be able to read it as it goes.
4	that if I needed one, they could give me one, a letter of	4	It looks like it's very long.
5	recommendation.	5	BY MS. MENDOZA:
6	I think there's a Bloomingdale's policy that they	6	Q The question, Mr. Booker, this is the Amended
7	don't actually give that, but I think my former bosses would	7	Complaint in front of you.
8	give me a personal -- I believe we had a conversation where	8	Have you seen this document before?
9	they'd give me a personal recommendation -- you know, letter	9	I'll scroll from top to bottom to refresh. If
10	of recommendation or reference for any future employment	10	you have seen this document before, let me know.
11	past when I actually left Bloomingdale's.	11	A I don't believe I've seen that.
12	Q Who was that specifically?	12	Q Okay. And at the top there it says, "Case Number
13	A I believe both Fred and Michael.	13	1:19-cv-08927-GBD Document 21 filed January 10, 2020."
14	Q Okay. What's Michael's last name?	14	Do you see that at the top there?
15	Did you say it already?	15	A Yes.
16	A I don't recall. Michael --	16	Q Okay. And you can keep going down to the very
17	Yeah, I don't recall what his last name is.	17	end.
18	Q Okay. Did you learn that anyone --	18	Just going through this, again, you do not recall
19	Withdrawn.	19	seeing this document; correct?
20	Did you know that a former female employee of	20	A No.
21	Bloomingdale's was making sexual harassment claims against	21	Q Okay. All right. So this is Plaintiff's filed
22	you?	22	Amended Complaint, and we can go back to the top.
23	A Not until this deposition.	23	Before we go to this, let's go to --
24	Q Okay. So before this deposition, you did not	24	I think the video has been uploaded, so we'll go
25	know that a former employee was making a complaint	25	to the first video.

<p>1 Again, this is trying to refresh your      2 recollection as to who Kristina Mikhaylova is, the Plaintiff      3 in this case, but this is marked "Confidential," so this is      4 confidential. Please do not disclose this to anyone.      5 We can do the first video, the _2180. Again,      6 this is a video that was produced in this case.      7 But taking the pictures that you've seen earlier      8 today and now this video, do you recall who Kristina      9 Mikhaylova is?      10 A I do not.      11 Q Okay. Is there any document or anything that      12 could help you to refresh your recollection who she was or      13 who she is?      14 MR. FLOWERS: Objection to form.      15 A Not that I'm aware of.      16 MS. MENDOZA: Okay. So let's try the next video,      17 _2181, please.      18 MR. FLOWERS: Are these marked as exhibits?      19 MS. MENDOZA: Would you want them to be marked as      20 exhibits?      21 MS. TIERNEY: The content, I'm not particularly      22 concerned that there's any secrets being revealed. I      23 think we marked it "Confidential" just because it was      24 of your client, and we didn't want that on the Internet      25 or something, but it's up to you.</p>	<p style="text-align: right;">Page 68</p> <p>1 And you don't recall speaking to that female that      2 you just saw in the video; is that correct?      3 A That's correct.      4 Q Nor in the photos you saw earlier, correct, you      5 don't recall speaking to that person?      6 A That's correct.      7 Q All right. We can go back to Plaintiff's      8 Exhibit 4, the Amended Complaint, and we'll turn to page 7.      9 Again, that woman you saw on the screen, Kristina      10 Mikhaylova, former employee of Bloomingdale's, is making      11 these accusations or is stating that this is what happened,      12 so I'm going to be reading her Amended Complaint now that's      13 in front of you, page 7.      14 So we'll start at paragraph 37. "Around      15 October of 2016, Defendant Booker of Defendants' Loss      16 Prevention Unit began to sexually pursue Plaintiff Kristina      17 Mikhaylova by unnecessarily appearing at Plaintiff's work      18 station uninvited. Defendant Booker's sexual advances made      19 Plaintiff overtly uncomfortable."      20 Is that a true statement?      21 A No.      22 Q Why not?      23 A Because it is an untrue statement.      24 Q What makes it untrue?      25 A It's a lie. Those didn't happen. The incident</p>
<p>1 If you don't mind having it marked, I don't, but      2 if you don't want it marked, I don't know that it needs      3 to be.      4 You've identified them by their Bates number and      5 so we can, you know, find them if we need to.      6 MS. MENDOZA: We'll mark this. We'll mark it, so      7 5 and 6, I think.      8 (Exhibit 5 was marked for identification.)      9 (Exhibit 6 was marked for identification.)      10 BY MS. MENDOZA:      11 Q Does that refresh your recollection who that is?      12 A It does not.      13 Q Looking at the video again, this doesn't refresh      14 your recollection?      15 A It does.      16 MS. MENDOZA: Okay. We can get off the screen      17 now. Thank you.      18 BY MS. MENDOZA:      19 Q Do you recall speaking to a female by the name of      20 Kristina during your tenure -- female employee of the Chanel      21 department during your tenure at Bloomingdale's?      22 A I don't recall speaking to a female employee by      23 the name of Kristina. But I do recall, yes, speaking to      24 both female and male employees at Chanel.      25 Q Right.</p>	<p style="text-align: right;">Page 69</p> <p>1 didn't happen.      2 Q Okay, because why?      3 MR. FLOWERS: Objection to form.      4 A Because what I'm being accused of is not      5 something that happened.      6 BY MS. MENDOZA:      7 Q Okay. So you did not --      8 Did you sexually pursue the woman in the video,      9 Kristina Mikhaylova, or the photos you saw earlier?      10 A No, I did not.      11 MR. FLOWERS: Objection to form.      12 BY MS. MENDOZA:      13 Q Okay. And around October 2016 --      14 Look at that paragraph, though.      15 Around October of 2016, were you -- you were an      16 employee of Bloomingdale's in the Loss Prevention Unit; is      17 that correct?      18 MR. FLOWERS: Objection to form.      19 A Yes, I was a senior executive in asset      20 protection.      21 BY MS. MENDOZA:      22 Q Okay. All right. Well, turn now to the      23 paragraph -- next paragraph of the filed Amended Complaint.      24 "At the same time, Defendant Booker made sexual      25 innuendos towards Plaintiff's commenting on Plaintiff's</p>
	<p style="text-align: right;">Page 71</p>

1 buttocks and appearances."	Page 72	<p>1 A No.</p> <p>2 MR. FLOWERS: Objection to form.</p> <p>3 BY MS. MENDOZA:</p> <p>4 Q Okay. And paragraph 42, "Around the same time,</p> <p>5 another employee of the Defendants' Loss Prevention Unit</p> <p>6 told Plaintiff, 'how can you run with that ass.' Defendant</p> <p>7 Booker and other employees in the Loss Prevention Unit</p> <p>8 frequently called Plaintiff over to ogle at her buttocks."</p> <p>9 Is that a true statement?</p> <p>10 MR. FLOWERS: Objection to form.</p> <p>11 A No.</p> <p>12 BY MS. MENDOZA:</p> <p>13 Q Did you --</p> <p>14 Do you recall looking at any female's buttocks</p> <p>15 during your employment?</p> <p>16 A No.</p> <p>17 Q Do you recall talking about anyone else's -- any</p> <p>18 female employee's buttocks with any of the other security</p> <p>19 guards?</p> <p>20 A No.</p> <p>21 Q And do you recall hearing anyone say, "How can</p> <p>22 you run with that ass"?</p> <p>23 A No, I did not.</p> <p>24 Q Okay. Do you recall hearing anyone in the</p> <p>25 security loss prevention, asset protection department making</p>	Page 74
<p>1 A For someone to later say that they were --</p> <p>2 something was unwelcome that I did to them sexually.</p> <p>3 Q Okay. The next paragraph, paragraph 40, "Between</p> <p>4 October of 2016 and late March 2017 Defendant Booker made</p> <p>5 unconcealed, unwelcomed sexual advances toward Plaintiff</p> <p>6 such that Plaintiff's female co-workers and former security</p> <p>7 guards commented on Booker's inappropriate behavior."</p> <p>8 Is that a true statement?</p> <p>9 MR. FLOWERS: Objection to form.</p> <p>10 A It is not.</p> <p>11 BY MS. MENDOZA:</p> <p>12 Q Okay. Did you make, during --</p> <p>13 Between October 2016 and late March 2017, were</p> <p>14 you employed at the Bloomingdale's 59th Street location?</p> <p>15 A I can't say the date for sure for March of '17.</p> <p>16 I'm not sure when I transferred to New Jersey.</p> <p>17 So I'm not sure if I was still at 59th Street</p> <p>18 during that time.</p> <p>19 Q Okay. And did you make any sexual advances on a</p> <p>20 female employee at the 59th Street location?</p> <p>21 A No.</p> <p>22 Q Paragraph 41, turning back to Plaintiff's</p> <p>23 Exhibit 4, "Plaintiff repeatedly denied Booker's sexual</p> <p>24 advances."</p> <p>25 Is that a true statement?</p>	Page 73	<p>1 any comment about a female employee's buttocks?</p> <p>2 A No, I don't.</p> <p>3 Q And that's all the questions --</p> <p>4 Actually, withdrawn.</p> <p>5 We can get off the screen. This question is for</p> <p>6 the Amended Complaint.</p> <p>7 Have you understood all the questions I've asked</p> <p>8 you today?</p> <p>9 MR. FLOWERS: Objection to form.</p> <p>10 A Yes.</p> <p>11 BY MS. MENDOZA:</p> <p>12 Q Would you like to change any of your prior</p> <p>13 answers today?</p> <p>14 A No.</p> <p>15 MS. MENDOZA: Okay's. And then that's all the</p> <p>16 questions that I have.</p> <p>17 MS. TIERNEY: Mr. Booker, thank you so much for</p> <p>18 your time today. I have nothing for you, unless your</p> <p>19 counsel has questions that he wants to pose, but I have</p> <p>20 nothing.</p> <p>21 MR. FLOWERS: We'll reserve our questions until</p> <p>22 time of trial.</p> <p>23 MS. MENDOZA: Thank you all for your patience.</p> <p>24 (Whereupon, the deposition was concluded at</p> <p>25 1:03 p.m.)</p>	Page 75

## 1 CERTIFICATE

2 I, Gina Williams, Registered Professional Court  
3 Reporter, do certify that the above deposition was reported  
4 by me and that the foregoing transcript is a true and  
5 accurate record to the best of my knowledge, skills, and  
6 ability.

7 I further certify that I am not an employee of  
8 counsel or any of the parties, nor a relative or employee of  
9 any attorney or counsel connected with the action, nor  
10 financially interested in the action.

11 Subscribed and sworn to before me when taken this  
12 3rd day of March, 2023.

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15 GINA WILLIAMS, RPR, CRR  
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ACKNOWLEDGMENT OF DEPONENT

I, BOBBY BOOKER, do hereby certify that I have read the foregoing pages and that the same is a correct transcription of the answers given by me to the questions therein propounded, except for the corrections or changes in form or substance, if any, noted in the attached Errata Sheet.

BOBBY BOOKER

Date

Subscribed and sworn to before me this

\_\_\_\_ day of \_\_\_\_\_, 2023.

My commission expires: \_\_\_\_\_

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Notary Public

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2	ERRATA		
3	-----		
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22	_____	_____	_____
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<u>WORD INDEX</u>			
<\$>	61:6 64:1 73:4, 13	<b>66</b> 3:10	<b>Amended</b> 3:10
<b>\$100,000</b> 35:9	<b>2017/2018</b> 15:16	<b>69</b> 3:10	66:18 67:6, 22 70:8, 12 71:23 75:6
<1>	<b>2018</b> 9:22 17:17	<7>	<b>America</b> 2:10
1 3:8 31:4, 5 45:6	61:7, 9	7 70:8, 13	<b>analyst</b> 19:16 21:9
<b>1:03</b> 75:25	<b>2019</b> 11:17 12:2, 6	<b>75</b> 45:4	<b>anchor</b> 60:15
<b>1:19-cv-08927-GBD</b>	17:2 18:1, 11	<b>75202</b> 2:11	<b>ANDREW</b> 2:16
67:13	<b>2020</b> 16:5, 14 67:13	<8>	<b>annually</b> 25:13
<b>10</b> 67:13	<b>2021</b> 11:9	<b>80</b> 45:4	<b>annulled</b> 14:13
<b>10:37</b> 1:19	<b>2023</b> 1:14, 18 76:12	<b>84</b> 8:17	<b>anonymous</b> 24:4 54:21
<b>100</b> 27:5 60:15	77:15	<9>	<b>answer</b> 5:3 6:10 23:16 40:8 56:19
<b>10119</b> 2:5	<b>2180</b> 3:10 68:5	<b>901</b> 2:11	<b>answering</b> 5:21 6:1
<b>1032</b> 53:4	<b>2181</b> 3:10 68:17	<b>9631</b> 8:22 10:2	<b>answers</b> 75:13 77:5
<b>105</b> 17:10	<b>24</b> 6:4, 7	<A>	<b>apologize</b> 4:8
<b>1086</b> 3:10 52:12	<3>	<b>A&amp;M</b> 15:10	<b>appearances</b> 72:1, 8
<b>10-minute</b> 66:16	<b>3</b> 1:14, 18 3:10 8:17	a.m 1:19	<b>appearing</b> 70:17
<b>11</b> 49:25 50:6	52:7, 9	<b>ability</b> 76:6	<b>appears</b> 54:14
<b>115</b> 17:10	<b>30</b> 66:14	<b>able</b> 64:9 67:3	<b>ApplePay</b> 46:6
<b>15</b> 20:14 21:2	<b>31</b> 3:8	<b>above-styled</b> 1:18	<b>apply</b> 19:9
<b>150</b> 60:15	<b>35</b> 3:9	<b>abuse</b> 44:16, 18	<b>appropriate</b> 56:12
<b>15'ish</b> 20:25	<b>37</b> 70:14	<b>accept</b> 61:1	<b>approving</b> 27:24
<b>17</b> 73:15	<b>39</b> 72:10	<b>accessories</b> 38:22	<b>area</b> 37:20 57:9, 19
<b>19</b> 17:19	<b>3rd</b> 76:12	<b>accurate</b> 72:17 76:5	58:5 63:21
<b>19-8927</b> 1:6	<4>	<b>accusations</b> 70:11	<b>areas</b> 26:14
<2>	<b>4</b> 3:4, 10 66:19, 20	<b>accuse</b> 21:3 28:25	<b>arm</b> 72:11
2 3:9 35:13, 18 52:3,	70:8 73:23	44:4	<b>arrested</b> 8:4
6	<b>40</b> 73:3	<b>accused</b> 24:17 71:4	<b>arrived</b> 59:10
<b>2,000</b> 32:19 41:17	<b>41</b> 73:22	72:5, 17	<b>asked</b> 6:11 75:7
50:7	<b>42</b> 74:4	<b>ACKNOWLEDGMEN</b>	<b>asking</b> 5:2 15:24
<b>2000</b> 60:14	<b>4905</b> 2:4	<b>T</b> 77:1	33:15 41:2 51:10
<b>2000s</b> 12:22	<5>	<b>action</b> 20:2, 21	56:17, 22
<b>2002</b> 14:20	<b>5</b> 3:10 69:7, 8	24:25 76:9, 10	<b>aspect</b> 44:22 45:12
<b>2007</b> 15:5	<b>500</b> 19:14	<b>address</b> 8:20, 21 9:3,	56:11
<b>2008</b> 15:5	<b>52</b> 3:10	5, 8 10:2, 5, 8	<b>ass</b> 74:6, 22
<b>2014</b> 11:21 13:1	<b>5200</b> 2:11	<b>advance</b> 58:1	<b>asset</b> 21:13 22:3, 6,
<b>2015</b> 19:19 20:12	<b>59th</b> 4:18 9:21	<b>advances</b> 57:22	22 23:5 26:9 27:4
<b>2015/'16</b> 19:22	10:11, 14, 20 18:22	70:18 73:5, 19, 24	28:12 34:16, 21
<b>2015/2016</b> 19:3	22:1, 2 27:5 30:22	<b>affair</b> 47:6	37:10, 12 40:14 45:2,
<b>2016</b> 4:19 10:23	31:14 32:18 37:16	<b>affairs</b> 56:7	20 71:19 74:25
13:17, 21 70:15	46:7 49:25 52:22	<b>afternoon</b> 47:24	<b>assign</b> 26:22
71:13, 15 73:4, 13	60:14 61:12, 21	<b>ago</b> 7:19	<b>assigned</b> 26:24 30:6
<b>2016/'17</b> 21:15	73:14, 17, 20	<b>agree</b> 64:24	49:18
<b>2016/2017</b> 39:25	<6>	<b>al</b> 1:8	<b>assigning</b> 27:10, 17
<b>2017</b> 4:20 9:22	<b>6</b> 3:10 69:7, 9	<b>alerted</b> 41:23	<b>assist</b> 27:17, 23
10:22 13:17, 21		<b>Alliance</b> 16:13, 15	<b>Associate</b> 2:15
19:19 21:15 58:7, 9		<b>allowed</b> 55:21	<b>associated</b> 29:7
		<b>allows</b> 50:11	<b>assume</b> 18:21 47:14
			59:14

<b>assuming</b> 14:8 25:7 34:12	51:18 53:23 58:8, 9, 25 59:17 61:8, 22, 23 63:3, 10, 11 65:3, 8, 13 67:11	31:7 32:8 52:8 67:3, 6 70:15 71:24 72:10 73:4 74:7 75:17 77:3, 12	<b>certain</b> 12:4 49:5 55:14, 15
<b>assumption</b> 54:16		<b>Booker's</b> 70:18 73:7, 23	<b>CERTIFICATE</b> 76:1
<b>attached</b> 77:7		<b>boss</b> 17:16 24:2 59:16 60:4, 5 62:5, 25	<b>Certified</b> 1:20, 21
<b>attempt</b> 66:23		<b>bosses</b> 65:3, 7	<b>certify</b> 76:3, 7 77:3
<b>attend</b> 14:21, 23 15:6 47:1	<b>BETTY</b> 2:15 66:15 <b>betty.tierney@macysc. om</b> 2:16 <b>bflowers@krcl.com</b> 2:12	<b>Boston</b> 63:21	<b>chain</b> 22:12
<b>attorney</b> 4:9 6:15, 22, 23 7:7, 10 76:9	<b>big</b> 41:9, 10, 15 42:15 45:5 46:6 63:19	<b>bottom</b> 67:9	<b>Chanel</b> 26:8, 10 31:13 32:15, 17 35:24 36:1, 4, 14 37:1, 2, 6 38:21 40:1 42:18, 22 46:11 51:6 69:20, 24
<b>attorneys</b> 66:5	<b>bike</b> 49:2	<b>break</b> 6:9 31:1 51:9 66:16	<b>Chanel's</b> 36:10
<b>audio</b> 18:9	<b>bikes</b> 49:3	<b>bridge</b> 63:5	<b>change</b> 75:12
<b>authority</b> 35:24	<b>birth</b> 8:16, 18	<b>bring</b> 29:11, 18, 20	<b>CHANGE/REASON</b> 78:4
<b>available</b> 29:21 30:9	<b>birthday</b> 25:22	<b>broken</b> 27:6	<b>changes</b> 28:7 77:6
<b>aware</b> 5:20 36:12 43:14 68:15	<b>birthdays</b> 25:20	<b>BRUCE</b> 2:12 55:12	<b>chart</b> 45:3
<b>&lt; B &gt;</b>	<b>bit</b> 10:16 55:1	<b>building</b> 50:1	<b>cheapest</b> 63:6
<b>bachelor's</b> 15:3	<b>blah</b> 54:23	<b>business</b> 15:3 59:15 60:19 62:13	<b>cheating</b> 47:3 56:6
<b>back</b> 4:21 9:12 18:24 21:6 32:22 34:8 37:23 46:6 49:12 51:16 57:17 64:10 67:22 70:7 73:22	<b>BLM001021</b> 3:10 52:12	<b>buttocks</b> 72:1, 8 74:8, 14, 18 75:1	<b>check</b> 26:14 37:6 50:3
<b>background</b> 8:6 14:16	<b>BLOOMINGDALE'S</b> 1:7 4:11, 14, 16 7:13 9:21 10:5, 11, 19 13:17 15:17, 20 16:11, 12 17:21 18:5, 8, 19, 22 19:4, 8, 10, 23 21:7, 9, 12, 17 24:16 25:2, 18, 24 34:22 36:2, 11, 13 38:22, 24 39:7, 10 41:11 43:24 46:1 47:11, 13 53:12, 20 55:5, 21 56:25 57:6, 21 58:1, 7, 13, 14 60:23 64:5, 7, 24 65:2, 6, 11, 21 69:21 70:10 71:16 73:14	<b>buying</b> 35:7	<b>children</b> 14:2 50:19
<b>backtrack</b> 10:15	<b>Bloomingdale's/Macy's</b> 34:2	<b>&lt; C &gt;</b>	<b>choice</b> 64:11
<b>bad</b> 62:16	<b>BOBBY</b> 1:13, 17 3:3 4:2 8:10, 12, 13 77:3, 12	<b>calendar</b> 62:17	<b>Chris</b> 33:7, 13 63:10
<b>Bank</b> 2:10	<b>body</b> 47:17, 19 53:21, 25 56:3	<b>call</b> 27:7	<b>Christopher</b> 30:12 32:23
<b>based</b> 54:8 57:12	<b>BOOKER</b> 1:13, 17 3:3 4:2, 7 8:10, 12	<b>called</b> 4:3 10:24 74:8	<b>circumstances</b> 57:13 62:19, 20
<b>basically</b> 41:4 43:22		<b>camera</b> 23:2	<b>claim</b> 66:6
<b>basis</b> 22:25 23:7 26:12, 19 40:21		<b>cameras</b> 22:24, 25 23:7	<b>claims</b> 65:21 66:1, 7, 8
<b>Bates</b> 3:10 31:20 32:4 52:2, 10 53:4 69:4		<b>capacity</b> 30:15	<b>CLARITY</b> 2:23
<b>Becker</b> 7:16 22:14 25:10, 15		<b>capital</b> 17:24	<b>clear</b> 61:11
<b>began</b> 70:16		<b>Captioner</b> 1:21	<b>client</b> 35:11 68:24
<b>beginning</b> 18:9		<b>cards</b> 46:5	<b>clock</b> 56:10, 14
<b>behalf</b> 2:3, 6		<b>Carolina</b> 11:24	<b>close</b> 32:19 37:17 72:12
<b>behavior</b> 73:7		<b>CASE</b> 1:6 4:10 7:2, 13, 20, 23 52:23 67:12 68:3, 6	<b>closed</b> 63:24
<b>believe</b> 4:17, 18, 19 10:12, 22, 24 11:17 15:19 17:9 24:5, 12 25:11, 13, 20 27:21 31:25 33:25 34:4 35:6 36:1, 13 38:25 40:16 42:19, 21 43:21, 23 44:5 45:3		<b>cases</b> 40:16	<b>closer</b> 28:9 50:11
		<b>Castellani</b> 30:13 32:24 33:1	<b>clothing</b> 47:11
		<b>Cathy</b> 37:24	<b>Coast</b> 40:19 60:1 61:2
		<b>cause</b> 1:18	<b>COLEMAN</b> 2:10
		<b>caused</b> 22:11 62:19	<b>college</b> 14:21, 23
		<b>causing</b> 45:11	<b>come</b> 18:24 29:17 30:9 37:23 40:16 63:16
		<b>CEO</b> 16:3, 6, 19	<b>comes</b> 33:5 46:4

**comfortable** 54:5  
**coming** 41:22  
**commencing** 1:19  
**comment** 72:7 75:1  
**commented** 73:7  
**commenting** 71:25  
**comments** 55:6, 7, 19  
**commission** 77:16  
**committed** 50:23  
**committing** 50:12  
**common** 19:13  
**communicate** 39:12  
42:13  
**communicated** 43:8  
**communication** 39:13  
**companies** 17:24  
62:14  
**company** 16:7, 21, 22,  
25 17:1, 3 18:17  
19:8 22:21 24:5  
33:20, 21 60:13  
61:18 62:4 63:23  
64:20  
**company-wide** 61:17  
**compared** 51:4  
**comparison** 51:1  
**Complaint** 3:10  
17:11 20:4 65:25  
66:19 67:7, 22 70:8,  
12 71:23 75:6  
**complaints** 64:16  
**completed** 15:19  
**completely** 33:1, 3  
**compliment** 47:10, 17  
**complimented** 56:3  
**complimenting** 53:21,  
24  
**concerned** 68:22  
**concluded** 75:24  
**condition** 5:24  
**conduct** 51:21  
**confidential** 6:21  
68:3, 4, 23  
**confused** 62:11  
**connected** 76:9  
**consider** 56:6, 15, 16  
**considered** 53:21  
57:6 58:1  
**contact** 7:16

**content** 68:21  
**contents** 52:14  
**continued** 62:3  
**continues** 44:21  
**control** 36:9, 12  
52:16, 18 66:22, 25  
**conversation** 48:23  
49:7 50:21 54:4, 7,  
25 55:3, 9, 12 56:12,  
13 62:23 65:8  
**conversations** 37:3, 5  
40:12 43:4 46:20, 23  
47:3, 5 48:13, 16  
56:9, 11 58:19 64:14,  
15  
**copy** 32:11  
**cordial** 36:18 49:21  
**cordially** 39:12, 13  
**corporate** 40:14, 20  
41:24 43:1, 7, 10, 11  
45:20 58:20 59:8, 21,  
23 61:17 62:23  
**Corps** 20:14, 24  
**correct** 5:4 8:11, 14,  
15 10:3, 6 13:9, 18,  
19 14:9, 10 15:18  
16:23, 24 18:15, 22,  
23 19:19 21:9, 10  
28:3, 20, 21 30:23, 24  
31:8, 9 34:13 44:6  
51:19 58:7, 17 60:10,  
11 64:21, 22 66:1, 2  
67:19 70:2, 3, 4, 6  
71:17 77:4  
**corrections** 77:6  
**correspond** 38:5, 20  
39:11  
**corresponded** 43:8  
**corresponding** 39:3  
**corroborate** 41:1  
**Counsel** 2:15 6:13  
75:19 76:8, 9  
**count** 17:9  
**countless** 41:17  
**couple** 38:12  
**course** 24:3 38:7  
49:21 67:2  
**courses** 15:22  
**COURT** 1:1 5:12

14:8 76:2  
**courtroom** 5:8  
**cover** 27:15  
**co-workers** 7:13  
25:19 47:21, 22 73:6  
**create** 17:1  
**created** 17:17 64:20  
**creating** 17:24  
**credit** 46:5  
**crime** 40:18, 24  
41:12 42:10, 20  
**crimes** 41:12  
**criminal** 41:21  
**CRR** 76:15  
**cubicle** 28:15  
**curious** 45:8  
**current** 8:20, 21  
11:5 15:25  
**currently** 11:12  
**customer** 29:7 35:6  
45:5 56:2  
**customers** 22:12, 19  
23:25 34:2 41:17  
**cut** 9:1 18:9

< D >

**Dahan** 36:22  
**daily** 22:25 26:12,  
19 27:2, 10 40:15, 16,  
21 41:16, 24  
**Dallas** 2:11 8:19, 22  
9:12 11:11 16:8, 17  
18:2  
**dare** 72:23  
**date** 8:16 73:15  
77:12  
**dates** 61:9  
**day** 23:7 26:14  
42:11, 14, 16 46:10,  
12 47:25 49:23  
76:12 77:15  
**deal** 41:18  
**December** 61:6  
**deem** 33:20  
**defendant** 8:2 70:15,  
18 71:24 72:10 73:4  
74:6  
**Defendants** 1:9 2:6  
31:25 70:15 74:5

**definitely** 44:20  
**degree** 15:2  
**degrees** 14:25 15:11,  
21  
**demeaning** 55:24  
**denied** 73:23  
**Dennis** 38:18  
**department** 26:8, 10,  
13, 15 28:1, 2 31:14  
32:15, 17 34:22  
35:25 36:1, 15 37:1,  
2, 6 38:9, 21, 22 40:2  
42:18 45:21 46:1, 8,  
11 51:3, 6 69:21  
74:25  
**departments** 26:11  
28:20 33:2, 4 43:3  
49:13, 17 50:14  
**depending** 48:2  
**depends** 28:9 54:1  
**DEPONENT** 77:1  
**deposed** 4:4  
**DEPOSITION** 1:13,  
17 4:24 6:20, 24 7:6,  
10 22:15 31:24  
65:23, 24 66:3 75:24  
76:3  
**DEREK** 2:4  
**describe** 22:16  
**describing** 53:11  
**desk** 28:13, 18  
**details** 7:20  
**determines** 34:10  
**Diaz** 38:18  
**difference** 29:25  
**differences** 14:7  
**different** 28:19 50:11  
**difficulties** 4:8  
**DIRECT** 2:23 24:2  
36:8  
**directly** 16:14 22:19  
**disciplinary** 20:2, 21  
24:25  
**disclose** 6:21 68:4  
**discount** 43:19, 22  
44:15, 18  
**discounted** 49:4  
**discovery** 31:20  
**discretion** 28:2

<b>discrimination</b> 23:18 24:11, 22 51:17, 23	43:19 44:14 45:23 46:15, 17, 24 48:9 50:17 51:5 52:22 57:23 58:4 65:20, 25	<b>executive</b> 17:22 21:13 23:2 29:21 33:6 45:2 54:22 61:22 71:19	<b>find</b> 69:5 <b>finding</b> 35:7 <b>fine</b> 26:15 51:12 52:19
<b>discuss</b> 7:4, 20 48:13	69:20, 22 70:10 71:16 72:24 73:20 74:5 76:7, 8	<b>executives</b> 27:14, 15 29:15 30:7, 19 60:17 62:1	<b>fire</b> 33:16, 17, 22 44:9
<b>discussed</b> 6:22, 23	<b>employees</b> 17:6, 8, 11, 15 22:12, 19 23:4 27:5 29:6 32:14, 19 33:16 34:1, 15 35:25	<b>Exhibit</b> 3:8, 9, 10 31:1, 4, 5 35:13, 18 52:3, 6, 7, 9 66:19, 20 69:8, 9 70:8 73:23	<b>fired</b> 20:17 26:3 33:24 34:23
<b>discussing</b> 32:23	36:1, 2, 9, 13, 15, 18 37:10, 11, 21 38:24 39:6, 21 41:17 44:25 45:11 47:11, 13 48:4,	<b>exhibits</b> 68:18, 20	<b>firing</b> 33:20 38:10
<b>discussions</b> 58:23, 24	6, 17 49:1, 21 50:7, 13 51:22 60:14, 15 64:16 69:24 74:7	<b>existence</b> 16:25	<b>first</b> 4:3 14:4 36:23 52:24 67:25 68:5
<b>DISTRICT</b> 1:1, 2	<b>employee's</b> 53:21 56:18 72:8 74:18 75:1	<b>expense</b> 26:16	<b>fiscal</b> 62:18
<b>diverter</b> 44:5, 14	<b>employer</b> 15:25 19:12	<b>expenses</b> 6:17	<b>five</b> 43:11 66:11
<b>diverters</b> 43:16, 17	<b>employers</b> 21:3 26:4	<b>expensive</b> 42:16	<b>five-minute</b> 31:1
<b>divorce</b> 11:16 12:23 13:4 14:5	<b>employment</b> 10:4 13:16, 21 15:24 21:6 38:6 39:7 57:21 65:10 74:15	<b>expires</b> 77:16	<b>flagship</b> 59:18, 22 60:13 62:25
<b>document</b> 52:8, 18 53:1 59:5 66:13, 21, 23 67:8, 10, 13, 19 68:11	<b>entering</b> 31:3	<b>explain</b> 28:23 39:13 43:17	<b>floor</b> 23:8 28:19
<b>documents</b> 7:1 52:6	<b>entire</b> 21:16 22:5 26:21 43:14 50:15	<b>exploring</b> 48:14	<b>floors</b> 49:25 50:7
<b>doing</b> 29:1 39:14 42:21 47:24	<b>entities</b> 22:23	<b>extended</b> 49:13, 16	<b>FLOWERS</b> 2:12
<b>door</b> 37:7, 17	<b>Errata</b> 77:7 78:2	<b>extent</b> 25:22	40:7 51:12, 14 52:13, 19 56:19 57:1 66:25 68:14, 18 71:3, 11, 18 73:9 74:2, 10 75:9, 21
<b>doors</b> 45:9	<b>especially</b> 41:10 54:18	<b>external</b> 23:5 26:25 27:1, 3, 6, 12 29:6, 25 30:6 33:25 34:14, 21 37:10 43:20 50:10	<b>focus</b> 29:5 41:16 42:9 43:21
<b>dress</b> 50:11	<b>ESQUIRE</b> 2:5, 12, 15	<b>externally</b> 46:5	<b>focused</b> 29:7 41:25
<b>due</b> 17:22	<b>Essentially</b> 22:18 29:13 41:1	 <b>&lt; F &gt;</b>	<b>follow</b> 36:9
<b>duly</b> 4:3	<b>et</b> 1:8	<b>familiar</b> 31:11 36:23, 24 51:4 53:2, 9	<b>follows</b> 4:4
<b>duties</b> 22:16 40:15	<b>Eunice</b> 37:24	<b>far</b> 33:13 34:2, 15 36:17 38:10 40:21, 24 46:8 53:5 63:11	<b>footprint</b> 60:20
 <b>&lt; E &gt;</b>	<b>evaluation</b> 25:6	<b>female</b> 33:10, 11 39:6 46:15, 17, 24 47:11, 13, 17, 21 48:6, 8, 16 50:16 51:5 53:21 58:4 64:16 65:20 69:19, 20, 22, 24 70:1 72:7 73:6, 20 74:18 75:1	<b>foregoing</b> 76:4 77:4
<b>earlier</b> 68:7 70:4 71:9	<b>events</b> 46:25	<b>females</b> 47:10	<b>forget</b> 27:7 59:17, 24
<b>Early</b> 12:22 61:9	<b>Everett</b> 14:24	<b>female's</b> 53:25 74:14	<b>form</b> 40:7 56:19, 24 57:1 68:14 71:3, 11, 18 73:9 74:2, 10 75:9 77:7
<b>earshot</b> 55:9	<b>everyone's</b> 55:1	<b>figure</b> 29:11	<b>formal</b> 5:8
<b>east</b> 35:7 40:19 60:1 61:2	<b>evolution</b> 62:21	<b>filed</b> 14:8 67:13, 21 71:23	<b>former</b> 7:12 25:18 65:7, 20, 25 70:10 73:6
<b>Eastern</b> 1:19	<b>exact</b> 61:9	<b>financial</b> 19:16 21:9	<b>founded</b> 17:25
<b>Economically</b> 60:19	<b>Examination</b> 3:4 4:5	<b>financially</b> 76:10	<b>frame</b> 15:16 25:12 53:13
<b>educational</b> 14:16	<b>example</b> 56:1 57:14, 25		<b>fraud</b> 35:1, 6 46:2, 4
<b>efficient</b> 62:4	<b>excited</b> 64:9, 10		<b>Fred</b> 7:16 22:14 58:20 65:13
<b>efforts</b> 42:9			<b>frequently</b> 74:8
<b>either</b> 5:24 13:10 15:5 19:22, 25 41:23, 24 59:24			<b>friendly</b> 36:18 39:16, 18
<b>elaborate</b> 22:6 30:17 54:2			<b>friends</b> 36:14 54:4
<b>Eleanor</b> 36:22, 25 37:1 50:17, 22, 25			
<b>else's</b> 74:17			
<b>e-mail</b> 43:13			
<b>employed</b> 73:14			
<b>Employee</b> 3:10 23:12 28:22, 24 29:2 34:22 39:15, 16			

<b>front</b> 5:8, 9 53:1 67:7 70:13	<b>graduate</b> 14:17 15:4	<b>head</b> 35:9	<b>impair</b> 5:20
<b>full</b> 8:10, 12 52:21 64:8	<b>gray</b> 57:9	<b>headquarters</b> 24:3	<b>important</b> 5:13
<b>fully</b> 5:21, 25	<b>Green</b> 16:1, 12	<b>healthy</b> 45:7	<b>inappropriate</b> 54:6
<b>further</b> 29:14, 23 38:11 76:7	<b>greet</b> 47:21, 22	<b>heard</b> 53:24 64:11	55:1, 3, 7, 20, 25 56:4
<b>future</b> 65:10	<b>groin</b> 57:19 58:5	<b>hearing</b> 74:21, 24	57:10, 18 73:7
<b>&lt; G &gt;</b>	<b>ground</b> 4:23 43:3	<b>heavy</b> 61:20	<b>incentivize</b> 45:10
<b>garage</b> 49:3, 4	<b>GROUP</b> 2:4 16:13, 15	<b>hello/good-bye</b> 57:16	<b>incident</b> 70:25
<b>gear</b> 49:5	<b>guards</b> 73:7 74:19	<b>help</b> 40:1, 3, 5 48:22	<b>incidents</b> 43:25
<b>geared</b> 49:24	<b>Gucci</b> 39:1	54:16 59:5 68:12	<b>includes</b> 37:15
<b>General</b> 2:15	<b>guess</b> 18:4 21:15 67:1	<b>helping</b> 33:13	<b>individual</b> 36:3
<b>generally</b> 26:17 37:16 45:1	<b>guys</b> 32:1 49:19 51:25	<b>hey</b> 54:22	43:13 48:3
<b>gentleman</b> 60:2	<b>&lt; H &gt;</b>	<b>high</b> 14:17	<b>individuals</b> 55:8
<b>getting</b> 27:24 62:10	<b>half</b> 52:14	<b>high-dollar</b> 26:18	<b>infidelity</b> 12:10 13:10
<b>Gillian</b> 11:19, 20, 23 12:6, 14 13:1, 17, 20 14:6	<b>Hall</b> 16:1, 12	36:4 37:17 39:1, 4	<b>inform</b> 51:24
<b>Gina</b> 1:19 76:2, 15	<b>handbag</b> 37:22 38:21 49:25	<b>higher-position</b> 23:23, 25	<b>information</b> 6:21, 24
<b>Give</b> 45:25 52:15 56:1 57:14, 25 65:4, 7, 8, 9 66:11	<b>Handbook</b> 3:10 23:12 52:22	<b>high-risk</b> 37:20	23:17, 20 29:12 41:1, 3 44:12 46:9 54:20
<b>given</b> 23:11, 12, 17 77:5	<b>handful</b> 46:13	<b>Hill</b> 18:14, 16	<b>informed</b> 54:19
<b>giving</b> 41:14	<b>handle</b> 27:9 33:21	<b>Hills</b> 10:24 21:18	58:24 59:2
<b>go</b> 4:22 15:9 21:6 23:8 26:12 28:18, 19 29:12, 22, 23 30:1 32:2 34:8 37:6, 11 50:5 53:4, 5 54:20 58:16, 18 59:11 63:17 66:13 67:22, 23, 24 70:7	<b>handled</b> 34:18 43:1	<b>hired</b> 16:6 24:5	<b>initial</b> 38:11
<b>goes</b> 27:10 67:3	<b>handles</b> 33:5	36:10	<b>initially</b> 10:9, 12, 20
<b>going</b> 21:6 23:4, 9 28:1 29:11 31:3 32:22 33:19 38:11 39:14 40:7 43:14 49:12, 23 50:4, 10 51:8, 10, 12, 13, 16 62:16 63:4 66:12, 13 67:3, 16, 18 70:12	<b>handling</b> 34:2 40:15	<b>hitting</b> 41:13 42:10	<b>innocent</b> 57:10, 14, 16
<b>Good</b> 4:7 37:12 47:15, 24, 25 54:4, 13 61:20	<b>handshake</b> 57:17	<b>holes</b> 58:15 61:19, 25	<b>innuendos</b> 71:25
<b>grabbing</b> 57:19	<b>hang</b> 50:4	<b>home</b> 8:20, 21 9:8, 11, 12	<b>Inquiring</b> 56:17
	<b>hanging</b> 50:6, 9	<b>honestly</b> 35:10 52:1	<b>interacted</b> 22:19
	<b>happen</b> 24:20 30:11 34:3 36:20 41:8, 9 56:10 70:25 71:1	<b>hourly</b> 23:7 27:2, 10	<b>interaction</b> 22:22
	<b>happened</b> 34:5 44:2, 22 63:23 70:11 71:5 72:6	<b>hours</b> 6:4, 7	<b>interested</b> 76:10
	<b>happening</b> 30:1 42:14, 16	<b>house</b> 9:13	<b>internal</b> 27:6 29:4, 9, 19 30:8, 21 34:17 44:17 45:19
	<b>happens</b> 40:18 42:15 45:4	<b>HR</b> 24:3, 12 29:13, 18 30:2 33:11, 19 34:9 38:11, 12 54:21	<b>internally</b> 29:5 45:3, 4
	<b>happy</b> 5:18 6:10 25:22 60:1 61:1	<b>hug</b> 48:1, 4 57:16	<b>Internet</b> 68:24
	<b>harassing</b> 55:23	<b>hugging</b> 48:9	<b>interstate</b> 42:21
	<b>harassment</b> 21:4 23:18 24:7, 10, 17, 23 51:17, 23 53:6, 11, 22	<b>human</b> 29:23 33:17 34:8, 18, 20 38:5, 12 44:10, 20	<b>interview</b> 21:21
	<b>56:15, 16, 24 57:7 65:21</b>	<b>&lt; I &gt;</b>	29:14 44:22
	<b>haul-outs</b> 27:22	<b>idea</b> 12:25	<b>interviews</b> 33:8, 9, 14
		<b>identification</b> 31:5 35:18 52:9 66:20 69:8, 9	<b>intimate</b> 56:23
		<b>identified</b> 41:20 69:4 III 8:12	<b>intimidation</b> 57:7
		<b>imagine</b> 39:21 63:6	<b>introduce</b> 66:18
			<b>investigate</b> 29:16, 18 44:10 45:8
			<b>investigated</b> 28:22, 24 34:17 45:22
			<b>investigating</b> 29:15 38:10
			<b>investigation</b> 24:18 29:14 33:5 44:21
			<b>investigations</b> 22:20 29:9, 10 32:25 33:13

34:25 38:11 40:25 41:5, 7 42:24 43:15 44:2, 15, 17, 18 <b>involved</b> 27:21 32:25 34:25 40:24 42:2, 17 43:15 44:10 <b>involving</b> 35:4 <b>Irreconcilable</b> 14:7 <b>issue</b> 27:23 39:2 41:10 42:22 46:6 54:15, 19 <b>items</b> 36:4 <b>its</b> 51:4	10, 13, 14, 18 40:18 41:10, 12, 14 44:11 45:8 46:12 49:16, 22 50:7 51:9, 24 52:16, 17 53:7, 15 54:6, 14, 15, 21, 22, 23, 24 55:1, 2, 13, 14, 22 56:4 57:10 58:25 63:6, 24 64:10, 11 65:3, 9, 20, 25 66:5, 8 67:2, 10 69:2, 5 <b>knowledge</b> 76:5 <b>KRISTINA</b> 1:4 4:10, 12, 21 30:4, 11 31:8 34:13, 14 35:4, 21 39:24 48:23 50:18, 22 68:2, 8 69:20, 23 70:9, 16 71:9 72:20, 21	<b>line</b> 33:21 57:11 78:4 <b>lines</b> 51:25 <b>little</b> 10:15 50:11 62:10 <b>live</b> 9:7, 9, 10, 13, 14 11:23 30:1 <b>lived</b> 8:25 9:2 10:12 11:24 <b>living</b> 9:18 10:5, 8 11:12 12:4, 6, 8 61:24 63:4 <b>locate</b> 6:15 <b>location</b> 18:22 26:22 27:18 31:14 37:17 59:10 61:12, 13, 15 63:2 73:14, 20 <b>LOGAN</b> 2:10 <b>Logistics</b> 16:1 22:12 27:8 45:6 <b>long</b> 8:25 9:2 10:21 16:25 20:24 36:7, 9 59:13 67:4 <b>look</b> 23:2 31:11 44:10 50:11 52:8, 21, 23 53:2 66:21 71:14 <b>looked</b> 31:15 47:15 <b>looking</b> 54:15 69:13 74:14 <b>lookout</b> 41:19 <b>looks</b> 51:2 53:9 67:4 <b>Loss</b> 22:8, 11, 20 41:15 45:3, 4, 11 70:15 71:16 74:5, 7, 25 <b>lot</b> 40:18 41:18 42:8, 9 48:19, 20 <b>Louis</b> 2:16 37:15 <b>lower-position</b> 23:23, 24	<b>male</b> 47:22 48:4 58:4 69:24 <b>mall</b> 60:16 <b>manager</b> 21:23 24:9 29:23 33:19 34:10 38:13 <b>managers</b> 24:12 38:9, 20 <b>managing</b> 22:18 <b>Manhattan</b> 10:12, 14, 21 63:20 <b>manpower</b> 42:9 <b>MARCH</b> 1:14, 18 73:4, 13, 15 76:12 <b>Marine</b> 20:14, 24 <b>marital</b> 13:23 <b>mark</b> 69:6 <b>marked</b> 31:5 35:18 52:9 66:20 68:3, 18, 19, 23 69:1, 2, 8, 9 <b>market</b> 61:20 <b>MARKS</b> 2:23 <b>marriage</b> 12:12, 14 14:13 46:24 <b>marriages</b> 13:11 <b>married</b> 11:1, 3, 8, 10, 14, 18, 20 12:15, 17 13:1, 13, 17 46:25 50:19 <b>marry</b> 12:19 <b>matter</b> 60:9, 12 <b>MBA</b> 15:14 <b>mean</b> 9:6, 7, 24 27:3 37:3 54:3 55:11 62:12 66:4 72:25 <b>means</b> 62:6 <b>media</b> 25:21 <b>medication</b> 6:3, 7 <b>MELISSA</b> 2:5 4:9 31:19 52:11 <b>melissa@dereksmithla</b> <b>w.com</b> 2:6 <b>MENDOZA</b> 2:5 3:4 4:6, 9 30:25 31:3, 6, 17, 22, 25 32:7, 12, 13 35:15, 19 40:9 51:8, 13, 15 52:2, 12, 15, 20 53:16, 17 56:21 57:3 66:11, 18, 22 67:5 68:16, 19 69:6, 10, 16,
<b>&lt; K &gt;</b> <b>KANE</b> 2:10 <b>keep</b> 50:3 51:13 52:17, 21 67:16 <b>Kendra</b> 12:18, 19 13:13 <b>Kerrville</b> 8:22 <b>key</b> 26:14 <b>kind</b> 26:17 41:14 43:3 50:25 55:4 61:20 64:11 <b>knew</b> 39:17 54:18 <b>know</b> 4:12 5:3, 17 6:9 22:18, 19 23:22 24:2 25:12, 21 27:22, 23 29:6, 14, 23 31:25 32:2 34:6 36:16, 18, 19, 20, 22 37:24 38:9,	<b>leave</b> 16:20 19:5, 6 20:15, 17 45:8 55:4 59:25 60:1, 8, 9, 12 61:2 62:6, 19 <b>left</b> 4:19 9:21, 24 10:1, 13, 14, 21 15:17, 19 17:20, 21 21:8 32:22 58:25 59:10 60:4 63:10 65:2, 11 <b>LEGAL</b> 2:16 6:17 7:17 <b>legitimately</b> 42:20 <b>letter</b> 65:1, 4, 9 <b>letting</b> 65:3 <b>lie</b> 70:25 <b>life</b> 46:21 <b>limits</b> 55:20	<b>looks</b> 51:2 53:9 67:4 <b>Loss</b> 22:8, 11, 20 41:15 45:3, 4, 11 70:15 71:16 74:5, 7, 25 <b>lot</b> 40:18 41:18 42:8, 9 48:19, 20 <b>Louis</b> 2:16 37:15 <b>lower-position</b> 23:23, 24	<b>&lt; M &gt;</b> <b>Macy's</b> 2:15 6:16, 17 7:17 24:5 36:8, 11 43:23 64:5, 6 <b>Main</b> 2:11 <b>Maintain</b> 25:17, 25 <b>making</b> 22:21 36:19 43:18 65:21, 25 70:10 74:25

18 71:6, 12, 21 73:11 74:3, 12 75:11, 15, 23 <b>mental</b> 5:24 <b>mentioned</b> 42:25 54:23 <b>Michael</b> 59:17 60:4 65:13, 16 <b>Michael's</b> 65:14 <b>Mid-2000s</b> 12:24 <b>MIKHAYLOVA</b> 1:4 4:10, 12 30:4 31:8 34:13 35:4, 21 39:24 48:23 50:19 68:2, 9 70:10, 17 71:9 72:20, 22 <b>military</b> 9:11 <b>mind</b> 30:25 69:1 <b>minimal</b> 30:10 <b>minimizing</b> 22:8, 11 <b>minutes</b> 23:3 66:12, 14 <b>missed</b> 28:8 <b>Missouri</b> 2:16 <b>mistaken</b> 10:25 15:20 36:2 <b>moment</b> 4:21 23:4 30:2 38:17 45:25 50:10, 13 52:7 66:21 <b>monitor</b> 23:8 <b>monitored</b> 23:6 <b>monitoring</b> 22:25 23:7 <b>months</b> 4:18 <b>morning</b> 4:7 47:24 <b>motorcycles</b> 48:17, 19, 20, 24 49:5 <b>move</b> 9:23 50:5 64:10 <b>moved</b> 10:1, 13 58:14 61:19 62:1 63:17 <b>moving</b> 27:24 51:8, 10 52:17 63:20 <b>multiple</b> 40:17 62:15	< N > <b>name</b> 8:10, 12, 13 11:5 36:23 37:25 38:3, 16, 19 50:17, 25	51:1, 3 59:17 65:14, 17 69:19, 23 <b>named</b> 11:19 12:18 <b>names</b> 8:8 51:4 <b>NECESSARILY</b> 2:23 60:6 <b>need</b> 6:9, 25 37:13 49:22 60:20 67:1 69:5 <b>needed</b> 49:20, 23 59:23 62:4 65:4 <b>needs</b> 28:9 45:21 69:2 <b>NEW</b> 1:2 2:5 9:18, 24 10:1, 5, 13, 23, 24 11:25 22:4 43:2 58:14 59:17 60:4, 5 61:12, 13, 14, 20 62:1, 19 63:4 73:16 <b>newer</b> 46:6 <b>nonsexual</b> 55:25 <b>Nope</b> 13:24 15:23 20:18, 23 48:15 <b>North</b> 11:24 <b>Notary</b> 77:19 <b>noted</b> 77:7 <b>Number</b> 3:7 31:20 42:4, 7, 8 67:12 69:4 <b>numbered</b> 1:18 <b>numerous</b> 54:19 <b>NYPD</b> 41:20, 24	< O > <b>oath</b> 5:3 <b>object</b> 40:7 <b>objecting</b> 32:10 <b>Objection</b> 56:19 57:1 68:14 71:3, 11, 18 73:9 74:2, 10 75:9 <b>objective</b> 55:19 <b>Objectively</b> 55:23 <b>obtain</b> 14:25 15:11 <b>obviously</b> 23:22 36:17 57:9 <b>October</b> 70:15 71:13, 15 73:4, 13 <b>offense</b> 50:12 <b>offer</b> 60:24 64:8	<b>office</b> 28:11, 12 43:10, 11 58:20 59:8, 23 62:23 <b>off-limits</b> 55:6 <b>ogle</b> 74:8 <b>Okay</b> 4:14, 21 5:1, 6, 14, 15, 18, 19 6:11, 13, 17, 19 7:1, 4, 18, 22 8:6, 10, 13 9:5, 14, 23 10:4, 8, 15 11:1, 5, 8, 10, 18, 23 12:1, 6, 8, 10, 23 13:7, 13, 16 14:2, 5, 8, 13, 23 15:9, 13, 17, 21 16:6, 8 17:21 18:3, 7, 12, 18, 24 19:12, 24 20:1, 12, 15, 19, 21, 24 21:1, 18, 21 22:6, 9, 16, 24 23:8, 11 24:6, 9, 13, 16, 22 25:9, 15, 24 26:6 27:12, 17 28:1, 18 29:17 30:3, 12, 17, 22 31:12 32:12, 20 33:16 34:12 35:3, 17 36:14, 22 37:5, 23 38:1, 5, 15 40:12 41:6 42:1, 17 43:4, 15 45:25 46:14 47:2 49:8, 12, 20 52:2 53:3, 10, 24 54:2, 9, 17 55:5, 13 56:1, 5 57:4, 14, 21 58:6, 10, 18 59:9 60:22 61:3, 11 63:8 64:13, 18, 23 65:14, 18, 24 66:7, 11 67:12, 16, 21 68:11, 16 69:16 71:2, 7, 13, 22 72:7, 10, 19, 25 73:3, 12, 19 74:4, 24 <b>Okay's</b> 75:15 <b>once</b> 43:3 60:4 <b>ones</b> 49:18 <b>ongoing</b> 39:3 <b>open</b> 12:12 45:9 <b>opening</b> 28:8 <b>operations</b> 62:4 <b>opposed</b> 63:1 <b>options</b> 59:24, 25 <b>organization</b> 41:21 42:20	<b>organizations</b> 41:12 42:10 <b>organized</b> 40:18, 24 41:12 <b>outcome</b> 42:23 <b>outfit</b> 47:15 <b>outside</b> 34:5, 15, 21 37:18 <b>outwardly</b> 54:6 55:2 56:3 <b>overhear</b> 54:5 55:16 <b>overheard</b> 54:24 <b>overlap</b> 13:5 <b>oversight</b> 50:8 <b>overt</b> 58:3 <b>overtime</b> 27:25 <b>overtly</b> 55:23 70:19	< P > <b>p.m</b> 75:25 <b>PA</b> 60:5 <b>package</b> 17:23 29:13 60:1 61:1 64:9 <b>packages</b> 29:19 <b>PAGE</b> 3:2 41:4 52:14 70:8, 13 78:4 <b>pages</b> 77:4 <b>paragraph</b> 70:14 71:14, 23 72:10 73:3, 22 74:4 <b>parents</b> 9:9, 10 <b>part</b> 27:12 36:17 39:19 41:20 44:19 45:5 47:12, 19 51:9 55:8 58:24, 25 61:23 <b>particular</b> 34:4 <b>particularly</b> 34:12 68:21 <b>parties</b> 76:8 <b>partner</b> 38:12 <b>partners</b> 38:12 <b>party</b> 13:10 54:22 <b>pat</b> 57:17 <b>patience</b> 75:23 <b>paying</b> 6:17, 18 <b>peer</b> 30:16 32:23 <b>peers</b> 23:24 63:11 <b>Penn</b> 2:4 <b>people</b> 22:9 27:24 30:3 38:10, 15 41:19
--	---	---	--	---	---	--

45:9 50:4 55:18  
 56:10 63:20  
**percent** 45:4, 6  
**period** 49:14, 16  
**person** 23:23, 24, 25  
 44:5, 14 45:21 47:8  
 49:10 51:2 56:22  
 63:15 70:5  
**personal** 20:9, 10, 16  
 25:17, 25 26:1 46:21  
 54:7 56:8 65:8, 9  
**personnel** 36:3  
 37:12 60:20  
**person's** 56:23  
**phase** 62:21  
**photo** 31:10, 11 32:3,  
 4, 10  
**Photograph** 3:8, 9  
**photos** 70:4 71:9  
**physical** 5:25 57:5  
**physically** 48:8, 10  
**picture** 35:12  
**pictures** 40:2 49:9  
 68:7  
**pie** 45:3  
**place** 8:18 50:5  
**places** 26:18  
**Plaintiff** 1:5 2:3  
 4:10 7:25 35:12  
 68:2 70:16, 19 72:12  
 73:5, 23 74:6, 8  
**Plaintiff's** 31:4  
 35:13 52:7 66:19  
 67:21 70:7, 17 71:25  
 72:11 73:6, 22  
**played** 61:23  
**Plaza** 2:4, 10  
**please** 5:17 52:4  
 56:20 68:4, 17  
**PLLC** 2:4  
**point** 9:7, 18 12:4  
 13:20 25:15 27:16  
 61:5, 24 64:13  
**poke** 55:14  
**police** 43:2  
**policies** 22:21 36:10,  
 11 51:16, 19 53:20  
 55:5 56:25 57:6  
 58:2

**policy** 33:9, 19, 21  
 34:2, 7 36:8 38:10,  
 14 39:20 43:22, 24  
 53:6, 10, 11 65:6  
**Poors** 19:1, 6, 14  
 20:1 21:8 25:25  
**P-o-o-r-s** 19:14  
**portion** 22:2  
**pose** 75:19  
**position** 16:2, 18  
 19:10, 15, 17 21:11,  
 14, 17, 19 60:23  
 63:14, 16, 18 72:24,  
 25  
**positively** 42:19  
**possibility** 35:2  
**possible** 36:21  
**Possibly** 24:14 37:3  
 38:17 48:18 50:16  
 61:8  
**post** 27:19, 20  
**post-graduate** 15:6  
**potential** 22:20  
**Prada** 37:15  
**pregnant** 39:7, 10, 11,  
 17, 22, 25 40:3  
**prepare** 7:6  
**prepared** 6:19  
**prescription** 6:3, 6  
**presence** 50:10  
**PRESENT** 2:15 5:7  
 6:15 29:12  
**pretty** 49:1  
**prevent** 5:21, 25  
**prevention** 22:8  
 70:16 71:16 74:5, 7,  
 25  
**primarily** 30:19  
**primary** 30:20 33:7  
**prior** 75:12  
**private** 56:13  
**probably** 43:12 46:4,  
 5 47:14 50:9 58:19  
 59:15 61:24  
**problems** 13:23  
**produce** 31:23 32:1,  
 3  
**produced** 31:19  
 35:15 52:23 68:6  
**producing** 35:16

**Professional** 1:20  
 20:8 76:2  
**profit** 43:18  
**propounded** 77:6  
**protection** 21:13  
 22:3, 7, 22 23:5 26:9  
 27:4 28:12 34:16, 22  
 37:10, 12 40:15 45:2,  
 20, 21 71:20 74:25  
**provide** 44:11  
**provided** 6:16 53:13  
**Public** 77:19  
**purchases** 43:19  
**purpose** 72:13  
**purposes** 32:7  
**pursue** 70:16 71:8  
**put** 7:16 29:19 52:3  
 56:2 72:23

< Q >

**quantities** 41:14  
**quarterly** 25:13  
**question** 5:18 6:11  
 34:20 55:19 67:6  
 75:5  
**questions** 5:2, 16, 22  
 6:1 8:6 14:15 52:24  
 56:17 66:15 75:3, 7,  
 16, 19, 21 77:5  
**QUOTATION** 2:23  
**QUOTE** 2:23

< R >

**reach** 24:3 39:2  
**reached** 22:14  
**read** 67:3 77:4  
**reading** 70:12  
**realistic** 67:2  
**really** 42:15 46:8, 9  
 49:24 62:16  
**Realtime** 1:21  
**reason** 5:20 14:5  
 17:5 54:7 61:21  
**reasons** 20:16  
**reattach** 35:8  
**recall** 4:13 11:22  
 21:22 23:14, 16 24:1,  
 8, 18, 20 25:8, 9 30:5,  
 11 31:7, 13 32:8, 14,  
 20 33:14 34:24 35:2,

5, 6 36:25 37:25  
 38:3, 4, 15, 17 39:6, 9,  
 18 40:3 41:6 42:3,  
 17, 23 43:20 44:3, 8,  
 13, 19 45:15, 16, 17,  
 24 46:3, 9, 10 47:2  
 50:18, 20, 21, 22 52:1,  
 25 53:7, 8, 10, 18  
 57:24 58:21 59:3, 4,  
 13 60:24, 25 61:9  
 63:22, 25 65:16, 17  
 67:18 68:8 69:19, 22,  
 23 70:1, 5 72:19, 21  
 74:14, 17, 21, 24  
**recalled** 50:16  
**receive** 20:1, 21  
 23:14 24:9, 25 25:6  
 64:9  
**received** 17:23 41:3  
 66:4  
**Recess** 31:2 66:17  
**recognize** 41:18, 19  
**recognizing** 41:23  
**recollection** 31:10  
 35:10, 14, 20 39:23  
 40:1, 4, 10 48:22  
 49:8 68:2, 12 69:11,  
 14  
**recommend** 33:17, 23  
 34:6, 8, 20  
**recommendation**  
 65:2, 5, 9, 10  
**recommended** 58:16,  
 18  
**recommending** 34:15  
**record** 32:2 52:11,  
 13 76:5  
**recorded** 33:9  
**recruited** 19:9, 11  
**reference** 65:1, 10  
**REFLECT** 2:23  
**refresh** 31:10 35:20  
 39:23 40:1, 3, 10  
 48:22 49:8 67:9  
 68:1, 12 69:11, 13  
**refreshes** 35:14  
**regarding** 7:9 22:15,  
 20, 22 23:17 24:7, 10,  
 19 34:25 40:14  
 43:16 44:15, 25

46:23 47:5 51:17, 22 53:6 64:15 <b>regardless</b> 34:9 56:13 <b>regards</b> 7:13 <b>region</b> 59:19 <b>regional</b> 59:16 60:18 62:5, 25 <b>Registered</b> 1:20 76:2 <b>regularly</b> 39:16, 18 72:12 <b>relationship</b> 17:14 20:6, 9 32:23 39:3 48:2, 3, 14 50:23 54:8 55:2, 3, 13, 16, 17 56:8, 13, 23 <b>relationships</b> 13:5 20:11 25:18 26:1 56:7, 18 <b>relative</b> 76:8 <b>relieved</b> 37:14 <b>remain</b> 60:25 <b>remember</b> 23:21 31:21 42:19 43:25 50:25 51:1, 5 58:19 59:6 63:19 64:8 65:3 <b>REMOTE</b> 1:13, 17 <b>rent</b> 8:23 <b>reorg</b> 58:25 59:14, 19, 23 61:16 63:19, 24 <b>reorganization</b> 17:22 58:12, 13 61:12, 14, 18 62:14 <b>reorganizations</b> 62:15 <b>repeatedly</b> 41:14 73:23 <b>rephrase</b> 5:18 <b>replace</b> 60:6 <b>replaced</b> 60:2 63:15 <b>report</b> 22:13 24:1, 4, 22 29:17 36:19 39:20 45:9, 12 49:22 53:25 54:7, 20 <b>reported</b> 22:14 30:3 36:7 76:3 <b>Reporter</b> 1:20, 21 5:12 76:3	<b>reporting</b> 24:10 51:22 <b>reports</b> 24:2 29:10 <b>representative</b> 38:6 <b>represented</b> 6:13 <b>required</b> 60:7 62:24 <b>requirements</b> 33:20 34:6 <b>reselling</b> 43:18, 23 <b>reserve</b> 75:21 <b>residences</b> 9:16 <b>resign</b> 20:19 <b>resource</b> 38:13 <b>resources</b> 29:23 33:18 34:8, 18, 21 38:6 44:10, 21 <b>respond</b> 5:13 <b>responses</b> 5:14 <b>responsibilities</b> 22:17 40:15 <b>responsible</b> 32:17, 18 <b>rest</b> 63:23 <b>restructured</b> 59:16 <b>retail</b> 28:7 41:10, 21 <b>return</b> 35:8 <b>revealed</b> 68:22 <b>review</b> 7:1 25:9, 14 34:8 51:24 <b>Richard</b> 38:1, 16 <b>ride</b> 49:2 <b>riding</b> 49:5 <b>right</b> 7:22 10:15 14:15 18:7 19:20 32:14, 24 34:19 50:2 51:16 54:21 58:7 62:7 63:10 64:1 67:21 69:25 70:7 71:22 <b>romantic</b> 20:11 <b>rotating</b> 23:6 <b>rounds</b> 26:20 37:19 39:14 <b>Roy</b> 8:12 <b>RPR</b> 76:15 <b>rules</b> 4:23 <b>run</b> 29:10 74:6, 22 <b>RUSSELL</b> 2:10 <b>Russian</b> 51:6	< S > <b>S&amp;P</b> 19:14 <b>sat</b> 25:11, 13 62:25 <b>satellite</b> 39:1, 4 <b>saw</b> 40:2 45:11 49:9 70:2, 4, 9 71:9 <b>saying</b> 24:20 32:5 39:23 44:1, 14 62:9 <b>says</b> 67:12 <b>schedule</b> 23:6 28:6, 8 <b>schedules</b> 27:2, 11, 20 <b>scheduling</b> 27:22 <b>school</b> 14:17 15:6, 7 <b>screen</b> 31:17 35:23 52:3, 17 53:16 69:16 70:9 75:5 <b>scroll</b> 66:23 67:1, 9 <b>scrolling</b> 52:21, 25 <b>second</b> 59:14 <b>secondary</b> 15:6 <b>secrets</b> 68:22 <b>section</b> 51:10 <b>security</b> 36:3, 16, 17 37:7, 8, 9, 21 49:19 73:6 74:18, 25 <b>see</b> 32:9 35:13 39:25 52:13 53:1 57:22 67:14 <b>seeing</b> 13:7, 25 53:7, 8 67:19 <b>seen</b> 32:5 44:17 49:2, 5 67:8, 10, 11 68:7 <b>sell</b> 17:3 <b>senior</b> 17:22 21:13 23:2 29:21 30:7, 19 33:6 45:2 54:22 58:15 60:17, 20 61:22, 25 71:19 <b>sense</b> 60:19 <b>separate</b> 13:21 24:9 33:1, 3, 4 <b>service</b> 10:10 <b>set</b> 27:20 62:22 <b>sets</b> 27:1 <b>severance</b> 17:23 59:25 61:1 64:9 <b>sexual</b> 21:4 23:17 24:7, 10, 17, 22 51:17, 22 53:6, 11, 22 55:24	56:15, 16, 24 57:6, 22 58:1 65:21 70:18 71:24 73:5, 19, 23 <b>sexually</b> 70:16 71:8 73:2 <b>Sheet</b> 77:8 <b>shifts</b> 28:6 <b>shoes</b> 47:15 <b>Short</b> 10:24 18:14, 16 21:18 22:1, 4 41:22 58:6, 16 59:10 60:14 63:1 <b>shortly</b> 59:1, 9, 12 63:11 <b>show</b> 6:25 55:2 <b>side</b> 13:25 27:8 35:7 45:6 47:8 48:14 <b>sign</b> 24:13 <b>significant</b> 56:24 <b>signs</b> 55:2 <b>silos</b> 27:16 <b>single</b> 42:16 <b>singling</b> 44:13 <b>sit</b> 62:5 <b>sit-in</b> 33:8 <b>sitting</b> 33:14 59:18, 22 60:6 62:5 <b>situation</b> 54:1, 16, 25 55:18 <b>six</b> 43:11 <b>skills</b> 76:5 <b>small</b> 32:16 58:12, 13 <b>SMITH</b> 2:4 <b>social</b> 25:17, 21 <b>sold</b> 16:21, 22 <b>sorry</b> 35:22 <b>sounds</b> 29:5 36:23 51:4 62:8 <b>South</b> 64:10 <b>SOUTHERN</b> 1:2 <b>space</b> 54:12 60:18 <b>sparked</b> 49:6 <b>speak</b> 7:9, 15 38:1 39:15 46:14 <b>speaking</b> 36:25 45:1 69:19, 22, 23 70:1, 5 <b>specific</b> 43:7, 25 54:1 57:12 66:8
---	---	---	--

**specifically** 23:1, 21  
 29:5, 6, 10 36:5  
 39:10 42:22 43:9  
 44:3 45:13 49:3  
 62:13 63:22 65:12  
**specifics** 63:25  
**spell** 19:12  
**spelling** 19:13  
**spoke** 7:16 56:3  
 72:11  
**spoken** 7:12  
**spouse** 11:6 47:3  
**St** 2:16  
**staff** 58:15  
**stamp** 32:4 53:4  
**stamped** 52:3  
**Standard** 1:19 19:1,  
 6, 13 20:1 21:8  
 25:25  
**S-t-a-n-d-a-r-d** 19:14  
**start** 16:4 17:24  
 70:14  
**started** 16:7 19:3, 25  
 23:13, 18, 21 44:17  
 51:19 61:14 64:20  
**starting** 19:17 21:11  
**state** 44:4 52:10  
 56:20  
**statement** 70:20, 23  
 72:2, 14 73:8, 25  
 74:9  
**STATES** 1:1 20:14  
**stating** 70:11  
**station** 70:18  
**stationed** 9:12 36:3,  
 5  
**stay** 37:7, 8 49:13  
 50:4  
**stealing** 22:9 29:1  
**step** 62:24  
**steps** 44:12 54:13  
**sticks** 35:9  
**stood** 72:12  
**stop** 12:4 53:5  
**stopped** 37:19  
**stops** 44:21  
**store** 4:19, 20 9:21  
 10:11, 14, 18, 20, 22,  
 24 18:12, 14, 16 22:8,  
 10, 11 26:21 28:9

29:7 30:22 32:16, 18,  
 19 34:5, 15 36:6, 20  
 37:16 39:19 41:15  
 45:12 46:8 49:25  
 50:12, 15 54:18 56:2  
 58:15 59:18, 21, 22,  
 23 60:7, 8, 13, 14, 15,  
 20, 25 62:5, 25  
**stores** 10:10 37:22  
 39:1, 4, 5 40:17  
 41:10, 13 58:14  
 59:18 61:19 63:20  
**stories** 63:24  
**Street** 2:11 4:19  
 8:22 9:22 10:11, 14,  
 20 18:22 22:1, 2  
 27:5 30:22 31:14  
 32:18 34:4, 5 37:16  
 46:7 49:25 52:22  
 60:14 61:12, 21  
 73:14, 17, 20  
**subjective** 55:7, 8, 10,  
 17, 18 56:7  
**subpoena** 66:4  
**Subscribed** 76:11  
 77:14  
**substance** 77:7  
**subway** 37:18  
**suffer** 5:24  
**Suite** 2:4, 11  
**summer** 59:3  
**supervise** 21:25  
**supervised** 22:2, 4  
 51:22  
**supervisor** 27:1, 9  
 33:6 36:3  
**supervisor's** 27:19  
**supposed** 6:6 37:14  
 41:19  
**sure** 4:18 10:23  
 12:21 19:25 22:21  
 23:14 24:14 33:15  
 36:19, 24 37:11  
 38:13 39:9, 20 41:3  
 44:2 49:1, 19 51:3  
 61:8 62:22 63:23  
 73:15, 16, 17  
**suspected** 42:12  
**suspicion** 45:2, 7, 8  
**suspicious** 44:24

**sworn** 4:4 76:11  
 77:14  
< T >  
**tags** 35:8  
**take** 6:6, 9 30:25  
 31:17 35:23 44:12  
 51:9 52:7, 21, 23  
 59:25 63:16 66:16,  
 21  
**taken** 1:17 4:24 6:3  
 31:2 60:22 66:17  
 76:11  
**takes** 42:9  
**talk** 29:22 49:17, 19  
 50:4  
**talked** 6:25 37:20  
 66:5  
**talking** 37:21 40:21  
 43:13 46:13 56:5, 6  
 60:3 74:17  
**targeting** 45:14  
**team** 7:17 22:3, 5, 7,  
 18 23:5 26:25 27:1,  
 3, 4, 6, 9, 12, 15 29:4,  
 6, 9, 19, 25 30:7, 8, 21  
 33:5 34:1, 14, 16, 17  
 36:17 43:1, 9, 14, 20  
 44:18 45:20  
**technical** 4:8  
**TECHNICIAN** 2:16  
**Tell** 6:19 25:15  
 29:13 46:14, 17  
 47:14 54:9  
**tenure** 10:13 21:16  
 24:16 25:2 31:14  
 38:2, 22 69:20, 21  
**term** 27:7 29:4  
**terminal** 34:7  
**terminated** 34:11  
**termination** 33:21  
**terms** 39:16 59:15  
 62:14  
**testified** 4:4 7:22  
**Texas** 2:11 8:19, 22  
 9:7, 12 10:1 12:9  
 14:11 15:10 16:8  
 64:5, 19

**Thank** 4:7 31:18  
 35:23 69:17 75:17,  
 23  
**theft** 36:21  
**thing** 41:24 49:20  
 54:21 63:6  
**things** 26:16 27:25  
 35:7 42:21 43:21  
 45:10, 12 47:1, 25  
 49:6 55:14, 15 57:20  
**think** 21:2 38:12, 23  
 43:9 52:2 55:16, 22  
 56:9 59:7 65:6, 7  
 67:24 68:23 69:7  
**third** 54:22  
**third-party** 24:4  
**thought** 45:18  
**three** 7:19 62:18  
**TIERNEY** 2:15  
 31:19, 23 32:5, 10  
 35:17 52:10 68:21  
 75:17  
**Time** 1:19 6:25  
 12:8 13:8 15:16  
 23:3 25:12 27:21  
 37:13 39:24 49:2, 14,  
 16 53:13 54:13 63:4,  
 9 71:24 73:18 74:4  
 75:18, 22  
**times** 28:19 30:10  
 41:18 46:10, 13  
 54:19 56:9 62:15  
**tip** 44:23, 24  
**tipping** 45:17, 19  
**today** 5:22 6:1, 13  
 68:8 75:8, 13, 18  
**today's** 6:19 7:6, 9  
**told** 20:17 50:18  
 74:6  
**tolerated** 23:22  
**top** 67:9, 12, 14, 22  
**touch** 48:8, 10 57:5,  
 8, 10, 15, 16  
**touched** 72:11  
**touches** 58:4  
**touching** 57:4  
**train** 63:5  
**training** 15:22 24:6,  
 10 51:18, 19, 21

**transcript** 76:4  
**transcription** 77:5  
**transfer** 58:10, 23  
  63:1  
**transferred** 58:6  
  59:6 61:13 63:9, 17  
  64:3, 4 73:16  
**trial** 75:22  
**Trident** 16:12, 15, 22  
  17:6, 17, 20 64:23  
**true** 70:20 72:2, 14,  
  18 73:8, 25 74:9  
  76:4  
**truthfully** 5:3, 21, 25  
**try** 29:10 68:16  
**trying** 32:3, 9 39:25  
  68:1  
**tunnel** 63:5  
**turn** 53:3 70:8  
  71:22  
**turning** 73:22  
**two** 7:19 54:4 60:19  
**type** 25:14 41:5, 7  
  49:20 50:8 66:6

<U>

**ultimately** 34:10  
  62:20  
**uncomfortable** 46:18  
  54:10, 14 70:19  
**uncomfortably** 72:12  
**unconcealed** 73:5  
**understand** 5:6, 10,  
  16 63:14  
**understood** 75:7  
**uninvited** 70:18  
**unique** 51:1  
**uniqueness** 51:4  
**Unit** 70:16 71:16  
  74:5, 7  
**UNITED** 1:1 20:14  
**University** 14:24  
**unnecessarily** 70:17  
**untrue** 70:23, 24  
**unwelcome** 73:2  
**unwelcomed** 73:5  
**unwelcomingly** 72:11  
**updated** 23:15  
**updates** 51:25  
**upload** 31:1 66:12

**uploaded** 35:12 52:6  
  67:24  
**upper** 35:7  
**upset** 63:7  
**upwards** 35:8  
**usually** 30:1 38:25  
  43:12  
<V>  
**vendors** 23:25  
**verbal** 5:14  
**versus** 43:13  
**Victoria** 11:7, 8  
**VIDEO** 2:16 3:10  
  67:24, 25 68:5, 6, 8,  
  16 69:13 70:2 71:8  
**violate** 36:10  
**violated** 34:1  
**violation** 34:10  
  36:21 44:25  
**violations** 34:7 36:7  
**Virginia** 11:24  
**visit** 26:10, 18 28:1  
  37:11 49:17  
**visited** 26:11  
**Vuitton** 37:15  
**vulnerable** 26:18

<W>

**walking** 39:15  
**want** 4:22 10:22  
  27:7 31:1 32:2, 11  
  43:10 51:9 52:7, 16,  
  18, 23 53:7 66:22  
  68:19, 24 69:2  
**wanted** 59:21  
**wants** 75:19  
**watch** 22:24 50:8  
**watched** 37:7  
**waters** 63:5  
**way** 21:14 29:4  
  35:8 47:22 48:11  
  59:24  
**ways** 24:1, 4  
**weather-related** 27:23  
**week** 46:13  
**weeks** 7:19  
**well** 13:1 23:9  
  33:12 35:16 43:10

49:15 50:6 54:11, 12  
  61:6 71:22  
**went** 9:11 19:23  
  21:9 25:11 26:22  
  27:18 38:16 44:20  
  46:10 49:12 64:19  
**we're** 21:6 28:7, 8, 9  
  32:3 36:16 38:9  
  46:13 50:9 51:12  
  55:13 60:17 61:20  
  66:12  
**west** 63:24  
**we've** 34:9  
**whichever** 28:2  
**WHITNER** 2:16  
**wife** 14:4  
**Williams** 1:20 76:2,  
  15  
**wish** 25:22  
**Withdrawn** 7:5  
  11:15 12:3 18:13  
  25:16 26:7 32:21  
  40:13 42:6 43:6  
  46:22 53:19 64:25  
  65:19 75:4  
**Witness** 2:6 3:2 4:3  
  33:10, 11  
**woman** 11:19 39:10  
  40:2 49:9 50:19  
  70:9 71:8  
**woman's** 56:3  
**women** 13:7 14:3  
**work** 4:14, 16 10:18  
  16:8, 10, 14 17:18  
  18:18, 25 19:2 20:13  
  26:8 30:12, 15 34:14  
  40:14, 17, 19 49:2, 3  
  56:9, 12 70:17  
**worked** 10:10, 11, 20,  
  22, 23 17:5, 20 19:20  
  26:9, 17 29:4 30:17  
  32:15 37:1 38:13  
  59:20 62:1  
**working** 16:4 18:1  
  19:4 53:12 64:20  
**works** 51:3  
**workweek** 28:5  
**written** 25:4  
**wrong** 19:19

**wrongdoing** 29:1

<Y>

**Yeah** 5:11 9:15  
  16:5 17:7 24:8  
  25:21 27:14 28:25  
  32:7 42:3 52:5, 12,  
  15 53:23 56:22  
  63:19 65:17  
**year** 10:21 19:25  
  23:15 24:6 25:6  
  59:15 62:3, 8, 9, 10,  
  12, 13, 15, 17, 18  
**years** 9:4 20:25  
  21:2 61:16 62:18  
**YORK** 1:2 2:5  
  11:25 43:2 60:5  
  62:19

<Z>

**zero** 46:12  
**Zoom** 1:17

<u>WORD LIST</u>	<b>20-something</b> (1) <b>21</b> (1) <b>2180</b> (2) <b>2181</b> (2) <b>24</b> (2)	<b>a.m</b> (1) <b>ability</b> (1) <b>able</b> (2) <b>above-styled</b> (1) <b>abuse</b> (2) <b>accept</b> (1) <b>accessories</b> (1) <b>accurate</b> (2) <b>accusations</b> (1) <b>accuse</b> (3) <b>accused</b> (4)	<b>arrested</b> (1) <b>arrived</b> (1) <b>asked</b> (2) <b>asking</b> (7) <b>aspect</b> (3) <b>ass</b> (2) <b>asset</b> (18) <b>assign</b> (1) <b>assigned</b> (3) <b>assigning</b> (2) <b>assist</b> (2) <b>Associate</b> (1) <b>associated</b> (1) <b>assume</b> (3) <b>assuming</b> (3) <b>assumption</b> (1) <b>attached</b> (1) <b>attempt</b> (1) <b>attend</b> (4) <b>attorney</b> (7) <b>attorneys</b> (1) <b>audio</b> (1) <b>authority</b> (1) <b>available</b> (2) <b>aware</b> (4)
< \$ >			
<b>\$100,000</b> (1)			
< 1 >			
<b>1</b> (4)	< 3 >		
<b>1:03</b> (1)	<b>3</b> (6)		
<b>1:19-cv-08927-GBD</b> (1)	<b>30</b> (1)	<b>ACKNOWLEDGMEN</b>	
<b>10</b> (1)	<b>31</b> (1)	<b>T</b> (1)	
<b>10:37</b> (1)	<b>35</b> (1)	<b>action</b> (5)	
<b>100</b> (2)	<b>37</b> (1)	<b>address</b> (8)	
<b>10119</b> (1)	<b>39</b> (1)	<b>advance</b> (1)	
<b>1032</b> (2)	<b>3rd</b> (1)	<b>advances</b> (5)	
<b>105</b> (1)	< 4 >	<b>affair</b> (1)	
<b>1086</b> (2)	<b>4</b> (6)	<b>affairs</b> (1)	
<b>10-minute</b> (1)	<b>40</b> (1)	<b>afternoon</b> (1)	
<b>11</b> (2)	<b>41</b> (1)	<b>ago</b> (2)	
<b>115</b> (1)	<b>42</b> (1)	<b>agree</b> (1)	
<b>15</b> (2)	<b>4905</b> (1)	<b>al</b> (1)	
<b>150</b> (1)	< 5 >	<b>alerted</b> (1)	
<b>15'ish</b> (1)	<b>5</b> (3)	<b>Alliance</b> (2)	
<b>17</b> (1)	<b>500</b> (1)	<b>allowed</b> (1)	
<b>19</b> (1)	<b>52</b> (1)	<b>allows</b> (1)	
<b>19-8927</b> (1)	<b>5200</b> (1)	<b>Amended</b> (8)	
< 2 >	<b>59th</b> (22)	<b>America</b> (1)	
<b>2</b> (5)	< 6 >	<b>analyst</b> (2)	
<b>2,000</b> (3)	<b>6</b> (3)	<b>anchor</b> (1)	
<b>2000</b> (1)	<b>66</b> (1)	<b>ANDREW</b> (1)	
<b>2000s</b> (1)	<b>69</b> (2)	<b>annually</b> (1)	
<b>2002</b> (1)	< 7 >	<b>annulled</b> (1)	
<b>2007</b> (1)	<b>7</b> (2)	<b>anonymous</b> (3)	
<b>2008</b> (1)	<b>75</b> (1)	<b>answer</b> (5)	
<b>2014</b> (2)	<b>75202</b> (1)	<b>answering</b> (2)	
<b>2015</b> (2)	< 8 >	<b>answers</b> (2)	
<b>2015/'16</b> (1)	<b>80</b> (1)	<b>apologize</b> (1)	
<b>2015/2016</b> (1)	<b>84</b> (1)	<b>appearances</b> (2)	
<b>2016</b> (9)	< 9 >	<b>appearing</b> (1)	
<b>2016/'17</b> (1)	<b>901</b> (1)	<b>appears</b> (1)	
<b>2016/2017</b> (1)	<b>9631</b> (2)	<b>ApplePay</b> (1)	
<b>2017</b> (14)	< A >	<b>apply</b> (1)	
<b>2017/2018</b> (1)	<b>A&amp;M</b> (1)	<b>appropriate</b> (1)	
<b>2018</b> (4)		<b>approving</b> (1)	
<b>2019</b> (6)		<b>area</b> (5)	
<b>2020</b> (4)		<b>areas</b> (1)	
<b>2021</b> (1)		<b>arm</b> (1)	
<b>2023</b> (4)			<b>arrested</b> (1)
			<b>arrived</b> (1)
			<b>asked</b> (2)
			<b>asking</b> (7)
			<b>aspect</b> (3)
			<b>ass</b> (2)
			<b>asset</b> (18)
			<b>assign</b> (1)
			<b>assigned</b> (3)
			<b>assigning</b> (2)
			<b>assist</b> (2)
			<b>Associate</b> (1)
			<b>associated</b> (1)
			<b>assume</b> (3)
			<b>assuming</b> (3)
			<b>assumption</b> (1)
			<b>attached</b> (1)
			<b>attempt</b> (1)
			<b>attend</b> (4)
			<b>attorney</b> (7)
			<b>attorneys</b> (1)
			<b>audio</b> (1)
			<b>authority</b> (1)
			<b>available</b> (2)
			<b>aware</b> (4)
			< B >
			<b>bachelor's</b> (1)
			<b>back</b> (15)
			<b>background</b> (2)
			<b>backtrack</b> (1)
			<b>bad</b> (1)
			<b>Bank</b> (1)
			<b>based</b> (2)
			<b>basically</b> (2)
			<b>basis</b> (5)
			<b>Bates</b> (9)
			<b>Becker</b> (4)
			<b>began</b> (1)
			<b>beginning</b> (1)
			<b>behalf</b> (2)
			<b>behavior</b> (1)
			<b>believe</b> (47)
			<b>best</b> (1)
			<b>better</b> (1)
			<b>BETTY</b> (2)
			<b>betty.tierney@macy's.c</b>
			<b>om</b> (1)
			<b>bflowers@krcl.com</b>

(1)	caused (2)	communicate (2)	COURT (4)
big (8)	causing (1)	communicated (1)	courtroom (1)
bike (1)	CEO (3)	communication (1)	cover (1)
bikes (1)	certain (4)	companies (2)	co-workers (5)
birth (2)	CERTIFICATE (1)	company (17)	create (1)
birthday (1)	Certified (2)	company-wide (1)	created (2)
birthdays (1)	certify (3)	compared (1)	creating (1)
bit (2)	chain (1)	comparison (1)	credit (1)
blah (3)	Chanel (21)	Complaint (11)	crime (5)
BLM001021 (2)	Chanel's (1)	complaints (1)	crimes (1)
BLOOMINGDALE'S (68)	change (1)	completed (1)	criminal (1)
	CHANGE/REASON (1)	completely (2)	CRR (1)
Bloomingdale's/Macy's (1)	changes (2)	compliment (2)	cubicle (1)
BOBBY (9)	chart (1)	complimented (1)	curious (1)
body (5)	cheapest (1)	complimenting (2)	current (4)
BOOKER (20)	cheating (2)	concerned (1)	currently (1)
Booker's (3)	check (3)	concluded (1)	customer (4)
boss (7)	children (2)	condition (1)	customers (5)
bosses (2)	choice (1)	conduct (1)	cut (2)
Boston (1)	Chris (3)	confidential (4)	
bottom (1)	Christopher (2)	confused (1)	< D >
break (4)	circumstances (3)	connected (1)	Dahan (1)
bridge (1)	claim (1)	consider (3)	daily (10)
bring (3)	claims (4)	considered (3)	Dallas (8)
broken (1)	CLARITY (1)	contact (1)	dare (1)
BRUCE (2)	clear (1)	content (1)	date (3)
building (1)	client (2)	contents (1)	dates (1)
business (4)	clock (2)	continued (1)	day (11)
buttocks (6)	close (3)	continues (1)	deal (1)
buying (1)	closed (1)	control (6)	December (1)
	closer (2)	conversation (13)	deem (1)
< C >	clothing (1)	conversations (15)	defendant (7)
calendar (1)	Coast (3)	copy (1)	Defendants (5)
call (1)	COLEMAN (1)	cordial (2)	definitely (1)
called (3)	college (2)	cordially (2)	degree (1)
camera (1)	come (6)	corporate (14)	degrees (3)
cameras (3)	comes (2)	Corps (2)	demeaning (1)
capacity (1)	comfortable (1)	correct (45)	denied (1)
capital (1)	coming (1)	corrections (1)	Dennis (1)
Captioner (1)	commencing (1)	correspond (3)	department (30)
cards (1)	comment (2)	corresponded (1)	departments (8)
Carolina (1)	commented (1)	corresponding (1)	depending (1)
CASE (10)	commenting (1)	corroborate (1)	depends (2)
cases (1)	comments (3)	Counsel (5)	DEPONENT (1)
Castellani (3)	commission (1)	count (1)	deposed (1)
Cathy (2)	committed (1)	countless (1)	DEPOSITION (14)
cause (1)	committing (1)	couple (1)	DEREK (1)
	common (1)	course (4)	describe (1)
		courses (1)	describing (1)

desk (2)	e-mail (1)	filed (4)	Gina (3)
details (1)	employed (1)	financial (2)	Give (10)
determines (1)	Employee (32)	financially (1)	given (4)
Diaz (1)	employees (45)	find (1)	giving (1)
difference (1)	employee's (5)	finding (1)	go (30)
differences (1)	employer (2)	fine (3)	goes (2)
different (2)	employers (2)	fire (4)	going (29)
difficulties (1)	employment (10)	fired (4)	Good (9)
DIRECT (3)	entering (1)	firing (2)	grabbing (1)
directly (2)	entire (5)	first (6)	graduate (2)
disciplinary (3)	entities (1)	fiscal (1)	gray (1)
disclose (2)	Errata (2)	five (2)	Green (2)
discount (4)	especially (2)	five-minute (1)	greet (2)
discounted (1)	ESQUIRE (3)	flagship (4)	groin (2)
discovery (1)	Essentially (3)	floor (2)	ground (2)
discretion (1)	et (1)	floors (2)	GROUP (3)
discrimination (5)	Eunice (1)	FLOWERS (19)	guards (2)
discuss (3)	evaluation (1)	focus (4)	Gucci (1)
discussed (2)	events (1)	focused (2)	guess (3)
discussing (1)	Everett (1)	follow (1)	guys (3)
discussions (2)	everyone's (1)	follows (1)	
DISTRICT (2)	evolution (1)	footprint (1)	< H >
diverter (2)	exact (1)	foregoing (2)	half (1)
diverters (2)	Examination (2)	forget (3)	Hall (2)
divorce (4)	example (3)	form (13)	handbag (3)
document (12)	excited (2)	formal (1)	Handbook (3)
documents (2)	executive (9)	former (7)	handful (1)
doing (4)	executives (7)	founded (1)	handle (2)
door (2)	Exhibit (21)	frame (3)	handled (2)
doors (1)	exhibits (2)	fraud (4)	handles (1)
dress (1)	existence (1)	Fred (4)	handling (2)
due (1)	expense (1)	frequently (1)	handshake (1)
duly (1)	expenses (1)	friendly (3)	hang (1)
duties (2)	expensive (1)	friends (2)	hanging (2)
	expires (1)	front (5)	happen (9)
< E >	explain (3)	full (4)	happened (7)
earlier (3)	exploring (1)	fully (2)	happening (3)
Early (2)	extended (2)	further (4)	happens (3)
earshot (1)	extent (1)	future (1)	happy (5)
east (4)	external (15)		harassing (1)
Eastern (1)	externally (1)	< G >	harassment (16)
Economically (1)		garage (2)	haul-outs (1)
educational (1)	< F >	gear (1)	head (1)
efficient (1)	familiar (6)	geared (1)	headquarters (1)
efforts (1)	far (10)	General (1)	healthy (1)
either (8)	female (30)	generally (3)	heard (2)
elaborate (3)	females (1)	gentleman (1)	hearing (2)
Eleanor (6)	female's (2)	getting (2)	heavy (1)
else's (1)	figure (1)	Gillian (9)	hello/good-bye (1)

help (7)	internal (9)	late (2)	Marine (2)
helping (1)	internally (3)	LAW (3)	marital (1)
hey (1)	Internet (1)	lawsuit (1)	mark (2)
high (1)	interstate (1)	leads (1)	marked (12)
high-dollar (7)	interview (3)	learn (1)	market (1)
higher-position (2)	interviews (3)	learned (1)	MARKS (1)
high-risk (1)	intimate (1)	leave (15)	marriage (4)
Hill (2)	intimidation (1)	left (20)	marriages (1)
Hills (9)	introduce (1)	LEGAL (3)	married (14)
hired (3)	investigate (4)	legitimately (1)	marry (1)
hitting (2)	investigated (4)	letter (3)	matter (2)
holes (3)	investigating (2)	letting (1)	MBA (1)
home (5)	investigation (4)	lie (1)	mean (10)
honestly (2)	investigations (16)	life (1)	means (1)
hourly (3)	involved (8)	limits (1)	media (1)
hours (2)	involving (1)	line (3)	medication (2)
house (1)	Irreconcilable (1)	lines (1)	MELISSA (4)
HR (12)	issue (7)	little (3)	melissa@dereksmithlaw.com (1)
hug (3)	items (1)	live (7)	MENDOZA (46)
hugging (1)	its (1)	lived (4)	mental (1)
human (9)	< J >	living (9)	mentioned (2)
	January (4)	locate (1)	Michael (4)
< I >	Jersey (19)	location (12)	Michael's (1)
idea (1)	Jersey/PA (2)	LOGAN (1)	Mid-2000s (1)
identification (6)	jewelry (2)	Logistics (4)	MIKHAYLOVA (18)
identified (2)	job (4)	long (9)	military (1)
III (1)	joking (1)	look (10)	mind (2)
imagine (2)	judge (2)	looked (2)	minimal (1)
impair (1)	junior (1)	looking (3)	minimizing (2)
important (1)	jury (1)	lookout (1)	minutes (3)
inappropriate (10)	< K >	looks (3)	missed (1)
incentivize (1)	KANE (1)	Loss (14)	Missouri (1)
incident (1)	keep (5)	lot (6)	mistaken (3)
incidents (1)	Kendra (3)	Louis (2)	moment (9)
includes (1)	Kerrville (1)	lower-position (2)	monitor (1)
individual (3)	key (1)	< M >	monitored (1)
individuals (1)	kind (7)	Macy's (10)	monitoring (2)
infidelity (2)	knew (2)	Main (1)	months (1)
inform (1)	know (75)	maintain (2)	morning (2)
information (10)	knowledge (1)	making (7)	motorcycles (5)
informed (3)	KRISTINA (25)	male (4)	move (3)
initial (1)	< L >	mall (1)	moved (6)
initially (3)	lady (1)	manager (6)	moving (5)
innocent (3)	laid (3)	managers (3)	multiple (2)
innuendos (1)	large (7)	managing (1)	< N >
Inquiring (1)	larger (1)	Manhattan (4)	name (20)
interacted (1)		manpower (1)	named (2)
interaction (1)		MARCH (6)	
interested (1)			

names (2)	overhear (2)	Plaintiff's (12)	purpose (1)
NECESSARILY (2)	overheard (1)	played (1)	purposes (1)
need (7)	overlap (1)	Plaza (2)	pursue (2)
needed (5)	oversight (1)	please (5)	put (5)
needs (3)	overt (1)	PLLC (1)	
NEW (27)	overtime (1)	point (9)	< Q >
newer (1)	overtly (2)	poke (1)	quantities (1)
nonsexual (1)		police (1)	quarterly (1)
Nope (5)	< P >	policies (11)	question (6)
North (1)	p.m (1)	policy (15)	questions (15)
Notary (1)	PA (1)	Poors (6)	QUOTATION (1)
noted (1)	package (5)	P-o-o-r-s (1)	QUOTE (1)
Number (7)	packages (1)	portion (1)	
numbered (1)	PAGE (6)	pose (1)	< R >
numerous (1)	pages (1)	position (15)	reach (2)
NYPD (2)	paragraph (9)	positively (1)	reached (1)
	parents (2)	possibility (1)	read (2)
< O >	part (14)	possible (1)	reading (1)
oath (1)	particular (1)	Possibly (6)	realistic (1)
object (1)	particularly (2)	post (2)	really (6)
objecting (1)	parties (1)	post-graduate (1)	Realtime (2)
Objection (10)	partner (1)	potential (1)	reason (5)
objective (1)	partners (1)	Prada (1)	reasons (1)
Objectively (1)	party (2)	pregnant (7)	reattach (1)
obtain (2)	pat (1)	prepare (1)	recall (86)
obviously (3)	patience (1)	prepared (1)	recalled (1)
October (5)	paying (2)	prescription (2)	receive (7)
offense (1)	peer (2)	presence (1)	received (3)
offer (2)	peers (2)	PRESENT (4)	Recess (2)
office (8)	Penn (1)	pretty (1)	recognize (2)
off-limits (1)	people (12)	prevent (2)	recognizing (1)
ogle (1)	percent (2)	prevention (6)	recollection (14)
Okay (166)	period (2)	primarily (1)	recommend (5)
Okay's (1)	person (13)	primary (2)	recommendation (4)
once (2)	personal (11)	prior (1)	recommended (2)
ones (1)	personnel (4)	private (1)	recommending (1)
ongoing (1)	person's (1)	probably (8)	record (4)
open (2)	phase (1)	problems (1)	recorded (1)
opening (1)	photo (5)	produce (3)	recruited (2)
operations (1)	Photograph (2)	produced (4)	reference (2)
opposed (1)	photos (2)	producing (1)	REFLECT (1)
options (2)	physical (2)	Professional (3)	refresh (13)
organization (2)	physically (2)	profit (1)	refreshes (1)
organizations (2)	picture (1)	propounded (1)	regarding (19)
organized (3)	pictures (3)	protection (18)	regardless (2)
outcome (1)	pie (1)	provide (1)	regards (1)
outfit (1)	place (2)	provided (2)	region (1)
outside (4)	places (1)	Public (1)	regional (4)
outwardly (3)	Plaintiff (13)	purchases (1)	Registered (2)

regularly (3)	RPR (I)	single (I)	stop (2)
relationship (19)	rules (I)	singling (I)	stopped (I)
relationships (6)	run (3)	sit (I)	stops (I)
relative (1)	<b>RUSSELL</b> (I)	sit-in (I)	store (50)
relieved (2)	Russian (I)	sitting (5)	stores (13)
remain (1)	< S >	situation (4)	stories (1)
remember (12)	S&P (I)	six (I)	Street (26)
<b>REMOTE</b> (2)	sat (3)	skills (I)	subjective (7)
rent (1)	satellite (2)	small (3)	subpoena (2)
reorg (7)	saw (7)	<b>SMITH</b> (I)	Subscribed (2)
reorganization (7)	saying (6)	social (2)	substance (1)
reorganizations (1)	says (I)	sold (2)	subway (1)
repeatedly (2)	schedule (3)	sorry (I)	suffer (1)
rephrase (1)	schedules (4)	sounds (5)	Suite (2)
replace (1)	scheduling (I)	South (I)	summer (1)
replaced (2)	school (3)	<b>SOUTHERN</b> (I)	supervise (1)
report (13)	screen (8)	space (2)	supervised (3)
reported (4)	scroll (3)	sparked (1)	supervisor (5)
Reporter (4)	scrolling (2)	speak (5)	supervisor's (1)
reporting (2)	second (I)	speaking (7)	supposed (3)
reports (2)	secondary (I)	specific (5)	sure (25)
representative (1)	secrets (I)	specifically (15)	suspected (1)
represented (1)	section (I)	specifics (I)	suspicion (3)
required (2)	security (11)	spell (I)	suspicious (1)
requirements (2)	see (7)	spelling (I)	sworn (3)
reselling (2)	seeing (5)	spoke (3)	< T >
reserve (1)	seen (8)	spoken (I)	tags (I)
residences (1)	sell (I)	spouse (2)	take (14)
resign (1)	senior (15)	St (I)	taken (7)
resource (1)	sense (I)	staff (I)	takes (1)
resources (8)	separate (5)	stamp (2)	talk (4)
respond (1)	service (I)	stamped (I)	talked (3)
responses (1)	set (2)	Standard (7)	talking (8)
responsibilities (2)	sets (I)	<b>S-t-a-n-d-a-r-d</b> (I)	targeting (1)
responsible (2)	severance (4)	start (3)	team (36)
rest (1)	sexual (24)	started (10)	technical (1)
restructured (1)	sexually (3)	starting (2)	<b>TECHNICIAN</b> (I)
retail (3)	Sheet (I)	state (3)	Tell (7)
return (1)	shifts (I)	statement (7)	tenure (9)
revealed (1)	shoes (I)	STATES (2)	term (2)
review (5)	Short (12)	stating (I)	terminal (1)
Richard (2)	shortly (4)	station (I)	terminated (1)
ride (1)	show (2)	stationed (3)	termination (1)
riding (1)	side (6)	stay (4)	terms (3)
right (19)	sign (I)	stealing (2)	testified (2)
romantic (1)	significant (I)	step (2)	Texas (13)
rotating (1)	signs (I)	steps (2)	Thank (6)
rounds (3)	silos (I)	sticks (I)	theft (I)
Roy (1)		stood (I)	

thing (4)	Unit (4)	west (1)
things (13)	UNITED (2)	we've (1)
think (14)	University (1)	whichever (1)
third (1)	unnecessarily (1)	WHITNER (1)
third-party (1)	untrue (2)	wife (1)
thought (1)	unwelcome (1)	Williams (3)
three (2)	unwelcomed (1)	wish (1)
TIERNEY (9)	unwelcomingly (1)	Withdrawn (15)
Time (23)	updated (1)	Witness (5)
times (8)	updates (1)	woman (7)
tip (2)	upload (2)	woman's (1)
tipping (2)	uploaded (3)	women (2)
today (7)	upper (1)	work (24)
today's (3)	upset (1)	worked (17)
told (3)	upwards (1)	working (5)
tolerated (1)	usually (3)	works (1)
top (4)	< V >	workweek (1)
touch (8)	vendors (1)	written (1)
touched (1)	verbal (1)	wrong (1)
touches (1)	versus (1)	wrongdoing (1)
touching (1)	Victoria (2)	< Y >
train (1)	VIDEO (12)	Yeah (17)
training (6)	violate (1)	year (15)
transcript (1)	violated (1)	years (5)
transcription (1)	violation (3)	YORK (7)
transfer (3)	violations (3)	< Z >
transferred (8)	Virginia (1)	zero (1)
trial (1)	visit (5)	Zoom (1)
Trident (7)	visited (1)	
true (8)	Vuitton (1)	
truthfully (3)	vulnerable (1)	
try (2)	< W >	
trying (4)	walking (1)	
tunnel (1)	want (17)	
turn (3)	wanted (1)	
turning (1)	wants (1)	
two (4)	watch (2)	
type (6)	watched (1)	
< U >	waters (1)	
ultimately (2)	way (6)	
uncomfortable (4)	ways (2)	
uncomfortably (1)	weather-related (1)	
unconcealed (1)	week (2)	
understand (4)	weeks (2)	
understood (1)	well (11)	
uninvited (1)	went (11)	
unique (1)	we're (14)	
uniqueness (1)		